



# Compliments, Concerns & Complaints Policy

Who is Responsible	VLT Trust Board
Statutory Policy	Yes
Review Timescale	Every 3 Years
Last Review	July 2017
Approval date	12 <sup>th</sup> July 2017
Next Review	July 2020

*This Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers within the Trust and its Academies to share this commitment.*

## **Compliments, Concerns and Complaints Policy**

This policy and all other documents relating to this policy are available in other formats on request.

### **1. Scope of this policy**

- 1.1. This policy sets out the Trust's procedures for dealing with compliments, concerns and complaints relating to the services provided by the Trust.
- 1.2. This procedure applies to all Academies within the Vector Learning Trust and is compliant with The Education (Independent School Standards) Regulations 2014
- 1.3. This policy may be used by anyone who has a compliment, concern or complaint about any aspect of The Trust. This includes parents and carers of students or any other members of the local community.
- 1.4. It does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:
  - Staff grievances or disciplinary procedures
  - Admissions
  - Exclusions
  - Issues related to child protection or criminal investigations
  - Any community facilities or services provided by the Academy
- 1.5. There may be occasions where a concern or complaint gives rise to disciplinary procedures against a staff member which put the procedures detailed in this policy on hold. If and when this occurs, the individual who has a concern or complaint will be informed. Any non-disciplinary aspects of the concern or complaint will continue to be dealt with under this policy.
- 1.6. The policy will be reviewed by The Trust every 3 years, and any adjustments made will be advised to the Board of Trustees and the Local Governance committees of the Academies within the Trust.

### **2. Aims and objectives**

- 2.1 The Trust strives to provide an outstanding education for all the students and young people within our Academies and the Headteacher's and staff work hard to build positive relationships with all children, parents/carers and the wider community that their Academy is part of.
- 2.2 We always welcome positive feedback about any of our Academies, our staff and our students. However, we recognise that there may be times when an individual may be unhappy with the services provided by a particular Academy, has a concern relating to an Academy or may want to make a suggestion about how an Academy or the Trust can improve.
- 2.3 The Trust aims to:
  - Be receptive to genuine expressions of dissatisfaction
  - Encourage the resolution of problems by informal means wherever possible

- Deal with complaints quickly, proportionately and fairly and within clearly defined time limits
- Take action as a result of concerns or complaints that helps to improve the quality of the education and training provided by each Academy within the Trust
- Take account of The Trust's duty to promote equality and diversity
- Maintain good working relationships between all people involved within each Academy and The Trust

### **3. Compliments procedure**

- 3.1 An individual wishing to make a compliment about a student, staff member, team, an Academy or the Trust can do so either:
- In person to the CEO of the Trust or the chair of the Board of Trustees
  - In person to administrative staff, teaching staff, senior teaching staff, Governors or the Headteacher in an Academy
  - By letter or email to the CEO of the Trust or the Chair of the Board of Trustees
  - By letter or email to the Headteacher or the Chair of Governors for an Academy
- 3.2 The compliment will be passed on to the relevant individual(s) and their line manager or, in the case of a student, via their tutor.

### **4. Managing Concerns and Complaints**

- 4.1 Our complaints' Procedure has four stages which are outlined below
- Stage One: Informal concerns  
 Stage Two: Formal Complaint at Academy Level  
 Stage Three: Formal Complaint to the Local Governing Committee  
 Stage Four: Formal Appeal to the Complaints' Panel of Vector Learning Trust

Please note that we have a separate procedure for child protection concerns, any issue regarding admissions or if a Headteacher/ Executive Principal excludes a pupil

- 4.2 Any individual with a concern or complaint may be accompanied or represented by a friend or relative at discussions and meetings about the concern or complaint.
- 4.3 At each stage, where a concern or complaint is upheld, in part or in full, it may be appropriate for the Academy or Trust to offer one or more of the following:
- an apology
  - an explanation
  - an admission that the situation could have been handled differently or better
  - an assurance that the issue complained of will not recur
  - an explanation of the steps that have been or will be taken to ensure that the issue will not happen again
  - an undertaking to review the Academy or Trust's policies in light of the concern or complaint

- 4.4 At each stage, if all or part of a concern or complaint is not upheld or the matter is not resolved to an individual's satisfaction, the individual may either choose to take no further action or to take their concern or complaint to the next stage.
- 4.5 In general, the time limits and deadlines contained within this policy should be adhered to. If it becomes necessary to alter the time limits and deadlines set out within this policy, the individual with the concern or complaint will be told and given an explanation as to why this has been the case.
- 4.6 At all stages of the complaints procedure, the following information should be recorded by the Academy or Trust in writing:
- the name of the individual with the complaint or concern
  - the date and time when the concern or complaint was raised
  - the details of the complaint
  - the desired outcome of the individual
  - how the concern or complain is investigated (including written records of interviews held)
  - results and conclusions of investigations
  - any action taken
  - the individual's response (satisfaction or further pursuit of complaint)
- 4.7 Records of concerns and complaints should be retained in the administrative office of the Academy for the periods specified in the Academy's policy on record retention and be used by the Academy to improve the Academy's services.
- 4.8 If, at any stage, the Headteacher or Chair of Governors of an Academy feels that the concern or complaint is either vexatious, has insufficient grounds, has already been considered in full or has been closed, the Headteacher or Chair of Governors may write to the individual to refuse to consider their concern or complaint under this policy and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this policy.

## **5. Stage 1: Informal procedure for dealing with concerns and complaints**

- 5.1 Parents should raise concerns with relevant members of staff, such as the Tutor, Pastoral Leaders or Year Leaders
- 5.2 The member of staff approached about the concern or complaint may share the details of the matter with others to seek further information or to decide on the appropriate action to be taken.
- 5.3 The matter will be considered and dealt with as quickly and effectively as possible. If requested, the complainant who raised the concern or complaint should be informed of any action to be taken to resolve the issue.
- 5.4 Where the complainant feels that a situation has not been resolved, or their concern or complaint is of a sufficiently serious nature, they should make an appointment to discuss the matter informally with the Headteacher of the Academy.
- 5.5 The Headteacher will meet with the complainant as soon as possible to discuss their concern or complaint. If it is possible, an informal resolution should be

reached and the complainant who raised the issue should be informed of any action to be taken to resolve the issue.

- 5.6 Should the complainant have a concern about the Headteacher, the steps under 5.4 and 5.5 should, instead, be dealt with by the Chair of Governors for the Local Governance Committee.

## **6. Stage 2: Formal complaint to the Headteacher**

- 6.1 Only if Stage 1 fails to resolve the matter should a formal complaint be made to the Headteacher. The Academy is not obliged to consider a formal complaint if the Stage 1 informal procedure has not been followed.

- 6.2 The complainant must submit their complaint to the Headteacher in writing, (they may wish to use the optional form at Appendix 1) stating the nature of the complaint and details of how the matter has been dealt with so far. The letter should enclose copies of all supporting documentation.

- 6.3 The Headteacher should formally acknowledge the complaint within 5 school days of receipt.

- 6.4 The Headteacher will arrange an investigation into the complaint to review any relevant documentation and information this could be undertaken by another member of the senior leadership team within the Academy who have no previous knowledge of the concern, known as the Investigating Officer. If necessary, the Investigating Officer will interview witnesses and take written statements from those involved. When students are interviewed, another member of staff will always be in attendance. The Headteacher may delegate the task of collating information relating to the complaint to another member of staff but not the decision on the action to be taken.

- 6.5 The Headteacher will provide the complainant with a full written response within 15 school days of acknowledging the complaint. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken. The letter should state that if the complainant is dissatisfied with the response and would like to take their complaint further, they should consult this policy.

- 6.6 Should the complainant have a concern or complaint about the Headteacher, Stage 2 should, instead, be dealt with by the Chair of Governors for the Local Governance Committee.

## **7. Stage 3: Formal Resolution – Local Governing Committee**

- 7.1 If the complainant wishes to appeal against a decision made under Stage 2, they should make a written request (they may wish to use the optional form in Appendix a) for a review by the Complaints Committee. This letter should be sent to the Academy, addressed to the Chair of Governors, within 10 school days of receipt of the decision letter from the Headteacher under Stage 2. The letter should enclose copies of all supporting documentation and give details (including names and addresses) of any witnesses the complainant intends to call.

- 7.2 The Chair may appoint a member of the Local Governing Committee of the Academy to investigate the complaint
- 7.3 The investigation may include the offer of a meeting with the parent/carer (in which case the meeting would be held within 15 school days from the receipt of the complaint), The investigating officer will speak to those who were involved in the situation
- 7.4 The investigating officer undertaking the investigation will provide the complainant with a full written response within 15 school days of the original complaint being received or the meeting with the parent/carer, whichever is later

## **8. Stage 4: Complaints' Panel Hearing**

- 8.1 If the complainant considers that their complaint has not been resolved under Stage Three, then please:

- put your request in writing (you may wish to use the optional form at Appendix 1)
- address it to the Clerk to the Trust Board within 10 school days of you receiving the findings of the investigation at Stage Three in writing;
- state why you think that your complaint has not been resolved: \_
- state the actions that you think should be taken to resolve your complaint.

The Complaints' Panel of the Multi Academy Trust will consider all complaints that reach Stage Four.

- 8.2 The Complaints' Panel will consist of at least three individuals and will include one person who is independent of the management and running of the Multi Academy Trust (or any of the schools within Vector Learning Trust).
- i. The Complaints' Panel may include one or more individuals from the following categories:
    - the local governing body of the academy where the complaint was initially made
    - a local governing body from another academy within the Multi Academy Trust;
    - the CEO of the Multi Academy Trust;
    - the Board of Trustees of the Multi Academy Trust.
  - ii. None of the members of the Complaints' Panel will have been directly involved in the matters detailed in the complaint.
  - iii. The Clerk will invite the local school or the multi academy trust as appropriate to put in writing its response to your complaint within 15 school days of receiving the request. The Clerk will arrange a meeting of the Complaints' Panel.
  - iv. That meeting will be held as quickly as possible with the Clerk seeking to find a date that is reasonably convenient for you, the local school (or the Trust Board Director where the complaint was against the Chief Executive Officer) and the members of the Appeals' Panel.

- v. Whenever possible, the meeting will be held within 15 school days at the end of the local school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
- vi. The meeting is not a court case, it will be held in private, and will be as informal as possible. The Complaints' Panel will ask the complainant why they consider that their complaint has not been resolved and the complainant will then have the opportunity to explain their reasons for this. The complainant would not be able to introduce new reasons at this stage which have not already been put in writing at an earlier stage of the Complaints' Procedure that is being currently pursued.
- vii. The local school will then be asked to put forward their views on the situation.
- viii. The meeting will be structured so that each side, as well as the Panel members, have the opportunity to ask questions.
- ix. The complainant will have the opportunity to make final comments to the Panel
- x. The Panel may make findings and in some cases may make recommendations.
- xi. The Clerk will normally provide all relevant individuals with a copy of those findings and recommendations within 10 school days. The response from the Clerk will be: -
  - sent by electronic mail to an email address confirmed as appropriate by the complainant or sent by post and, where relevant, this will be sent to the individual(s) about whom the complaint was made.
  - made available to the Principal/Headteacher and the Chief Executive Officer and located within Vector Learning Trust.
- xii. The decision of the Appeals Panel is final. When the complainant has exhausted the stages of the Complaint's Procedure but remain dissatisfied then, if they feel that it is appropriate to do so, they may wish to complain to the Education Funding Skills Agency.

**9. Raising a complaint with the Education and Skills Funding Agency (ESFA)**

The ESFA will only consider a complaint after an Academy Trust's own complaints procedure has been exhausted. The ESFA cannot review or overturn decisions about complaints made by Academy schools, they can only investigate whether The Trust has considered the complaint appropriately. If the ESFA finds that The Trust did not consider the complaint appropriately it can request that The Trust reconsider the complaint. The ESFA will investigate complaints about:

- undue delay or non-compliance with The Trust's own complaints procedure
- allegations that The Trust has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State.
- allegations that The Trust has failed to comply with any other legal obligation placed on it, except in cases where there is another body or organisation that is, in the view of the ESFA, better placed to consider and, if necessary, take further action in connection with the issue including but not limited to, a Court

of Law or other Tribunal of competent jurisdiction, local authorities or other regulatory bodies.

The ESFA will not investigate complaints about: -

- examination results or curriculum content where a more appropriate form of redress would be the examining body or Ofqual
- consideration of special education needs for an individual student
- matters that are subject of legal action

The ESFA will not usually investigate complaints more than 12 months after a school's decision unless the complainant has good reason for the delay in making the complaint. The ESFA reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that The Trust has already taken or proposes to take to resolve the complaint. Complaints to the ESFA should be sent to: - email [academyquestions@ESFA.education.gov.uk](mailto:academyquestions@ESFA.education.gov.uk)

**Formal Complaint Form (Optional)**

Please complete and return to the Head Teacher/ Chair of Local Governing Body/ Chair of VLT/ CEO VLT (delete as appropriate) who will acknowledge receipt and explain what action will be taken

Your Name:
Student Name:
Your relationship to the student:
Address :
Day time telephone number Evening telephone number Mobile telephone number
E mail address:
Please give details of your complaint:

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What action, if any, have you already taken to try to resolve your complaint. Who did you speak to and what was the response?

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What actions do you feel might resolve the problem at this stage?

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Are you attaching any supporting paperwork? If so please provide details

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Signature

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Date:

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