



Thinking Schools Academy Trust
“Transforming Life Chances”

Complaints Policy

This policy was adopted on	July 2020
The policy is to be reviewed on	July 2024

The Directors of the Thinking Schools Academy Trust have approved and adopted this procedure to allow parents/carers of pupils attending academy schools within the trust to raise a concern or complaint relating to the relevant academy.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- a) exclusions;
- b) admissions;
- c) appeals relating to internal assessment decisions for external qualifications;
- d) complaints about statements of SEN/EHC Plans;
- e) grievances or disciplinary issues relating to members of staff; or
- f) issues related to child protection.

The aims of the procedure are:

- To deal with any complaint against an academy or any individual connected with it by following the correct procedure;
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.

All staff will be made aware of this Complaints Policy and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention.

Defining a Complaint

A complaint is an expression of dissatisfaction about the standards of service, actions or the lack of action by the school or its staff, affecting an individual pupil, person or group of pupils or people.

Parents/carers may wish to complain if they believe:

- They have not been treated fairly or politely; or
- The academy has not done something it should have done; or
- The academy has done something badly.

How complaints are dealt with

When complaints are received, the following process will be followed:

- People will be dealt with courteously and in a sensitive and helpful manner in keeping with the Mission Statement.
- Things will be put right where it is clear the academy has not given the service that parents/carers have the right to expect.
- Complaints will be analysed so that the views of parents/carers can be taken into account when the academy plans for the future.

If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated against a member of staff, separate action will be taken as appropriate.

The complainant may make his or her representations at each stage of the procedures in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representation.

The stages to follow:

Stage One

Many enquiries and concerns expressed by parents/carers and others about the academy can be dealt with satisfactorily by the teacher or Head of Year or other members of staff without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

If the matter is brought to the attention of the Head/Principal he/she may decide to deal with your concerns directly at this stage. If the concerns are about the Head/Principal these should be referred directly to the Executive Headteacher or Director of Education.

Complaints at this stage will generally be dealt with within 5-10 working days.

Stage Two

If dissatisfied, the person concerned may then submit a formal complaint to the Headteacher or Principal of the relevant academy. This must be done in writing, making it clear that it is a formal complaint and specifying its nature as exactly as possible and details of how the matter has been dealt with so far, attaching any documents they wish to rely on. The complainant should also include a clear statement of how he or she would like the Academy to resolve the complaint.

A written acknowledgement of the complaint should be received within 3 working days and a response within 20 working days.

If, in his/her view, the complaint falls outside the scope of the procedures the Headteacher/Principal will advise the complainant of any other recourse he or she may have. The Headteacher/Principal will consider urgent complaints as quickly as possible. If it is clear that investigation of the relevant complaint will take some time, the Headteacher/ Principal will notify the complainant of the fact and of progress during consideration of the complaint. Following that consideration, complainant will be informed by the Headteacher/Principal of the following:

- the decision reached and the reason for it;
- any action taken or proposed including details of any request made to those complained against .
- what actions will be taken to resolve the complaint.

In such instances where the complaint falls outside the scope of the procedures the decision of the Headteacher or Principal is final. If the complaint is about the Headteacher or Principal and outside the scope of this policy, then the decision of the Executive Headteacher or Director of Education is final.

Stage Three

Where the complaint falls within the scope of the Policy (paragraph 1), if the complainant is dissatisfied with the outcome of the Stage Two response, then they should put this in writing to the Headteacher/Principal who will refer the matter to the Executive Headteacher or Director of Education. The procedures and timescales outlined in Stage Two will then be followed by the Executive Headteacher or Director of Education.

If the concerns are about the Executive Headteacher or Director of Education these should be referred directly to the Regional Governing Body under the Final Stage.

Final Stage

If the complainant is still dissatisfied, the matter must be referred to a panel by the complainant writing to the Clerk to the Regional Governing Body (using the email address info@tsatrust.org.uk) within 10 school days of receiving any decision at Stage Three. The referral should include all documentation the complainant wishes to rely on. Once all documentation has been received from the complainant and the academy, these will be shared with all parties at least five days before the panel hearing. The panel reserves the right not to consider any documentation presented by either the complainant or the academy less than three school days prior to the hearing.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. Fair consideration will be given to any bona fide objection to a particular member of the panel. The Clerk will write to the complainant with details of how the panel will consider the complaint and of the complainant's rights as explained in paragraph three above and in the paragraphs below. Where there is a panel hearing of a complaint, the academy will ensure that one panel member is independent of the management and running of the school.

If the complaint appears to be urgent, the Clerk will convene a meeting of the committee to consider the complaint within 15 school days of its receipt, (these being days on which the school is normally in session). If the complaint is not urgent, the Clerk will convene a meeting to consider the complaint within 20 school days. The Clerk will give the complainant a minimum of seven calendar days' notice of the date, time and place of the meeting. Any reasonable request made by the complainant for an alternative date should result in a mutually convenient alternative date being set at the earliest possible time. The complainant will be invited to attend the hearing, accompanied if they so wish. If the complainant does not wish to attend the meeting he or she may present the complaint in writing to the committee. The complainant must submit any such material to the Clerk no later than two school days before the meeting.

The Headteacher or Principal, accompanied by a friend or representative if so desired, may be present at the meeting of the committee which is convened to consider a complaint but shall be precluded from the decision regarding the complaint.

The Complaints Panel will regulate its own procedure but any hearing will be conducted in a manner to ensure that each party has the opportunity to address the Complaints Panel. The procedure to be followed during the hearing will be set out to the parties by letter in advance of the hearing.

Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

- The complainant and Headteacher/Principal/Executive Headteacher/Director of Education will enter the hearing together;
- The Chair of the panel will welcome the complainant, any representative and introduce those present;
- The complainant may, if he or she chooses, restate the nature of the complaint;
- The complainant may be asked questions by the panel and by the Headteacher/Principal;
- The Headteacher/Principal may be asked to make a statement to the panel regarding the matter complained of and may be asked questions by the panel or by the complainant;
- The complainant may, if he or she chooses, summarise the complaint;
- The Chair of the Panel will explain that both parties will hear from the Panel within 5 school days;
- The Headteacher/Principal, complainant and any friend or representative they have brought will be asked to leave together.

The panel shall consider at this meeting the complaint and any relevant information or factors. They shall only reach a decision after the Headteacher/ Principal and, where relevant, the complainant and any friend or representative of either individual, have withdrawn. The committee can decide:

- to reject the complaint;
- to uphold the complaint in whole or in part; or
- to investigate the complaint further.

The Chair of the Panel shall inform the complainant, the Headteacher/Principal and any other person concerned, of the decision of the panel in writing within five school days:

The Chair of the Panel shall inform the complainant that, where the panel's response has failed to satisfy the complainant, further recourse lies in a complaint to Education and Skills Funding Agency (EFSA) which has limited powers to review the handling of the complaint in accordance with EFSA's 'Procedure for dealing with complaints about Academies'.

Written records of all complaints with indication of whether they were resolved at the preliminary stage or preceded to a panel hearing will be kept on the Academy premises for Stage Two and centrally at the Trust for Stage Three and Final Stage and will be available for inspection by the senior leaders of the Trust.

All records concerning the complaint will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.

If you have any questions about the procedures described above, you may wish to contact the Clerk to the Regional Governing body who will be able to advise you further (info@tsatrust.org.uk) .