



LAURUS

TRUST

Complaints Procedure

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Reviewed by -

General Principles

All complaints will be dealt with in a transparent way and as quickly as is reasonably practical. You will be kept informed during the investigation of your complaint and of the outcome except where this is confidential e.g. in the case of a staff disciplinary process.

It is important that complaints are dealt with as expeditiously as possible. The school will normally expect you to raise your complaint within 12 term time calendar weeks of the event/matter complained of unless the Head of School or Chair of Governors agrees there are exceptional reasons for not doing so. All correspondence to the school or governors must be by email or letter to the school and not to the home address of any governor.

The timescale for dealing with your complaint within this procedure will be adhered to as far as is reasonably practical. Where this is not possible you will be informed, within the specified timescale, as to why this is the case, and given a revised timescale for dealing with your complaint.

Governors recognise that complaints may provide helpful insights and feedback, and as such support improvement in processes and practice.

Procedures for dealing with complaints

In the Laurus Trust, we undertake to provide a friendly and safe environment in which students will be helped to achieve their potential, both academically and socially. We do however recognise that sometimes things can go wrong and parents/carers may need to make a complaint or raise concerns they have with the school. This policy tells you what to do if this happens.

This policy is available to parents/carers of students and prospective students.

The schools in the Laurus Trust will not respond to anonymous complaints unless issues of child protection are raised. Should a complaint be raised that doesn't fall within our procedure, parents/carers will be informed who they should go to, to direct their complaint.

Procedures for secondary schools within the Trust

1) INFORMAL STAGES

Most complaints/issues can be resolved informally and quickly by discussion with the member of staff concerned. Alternatively, parents/carers can write to a member of staff outlining the issue clearly.

Informal complaints should firstly be directed towards the relevant form tutor, subject teacher or appropriate member of staff.

If the complaint is still unresolved it should then be taken to the relevant Subject Leader, Head of Year, Head of House or appropriate member of staff.

If this does not lead to a successful resolution the complaint should be taken to the relevant senior member of staff with responsibility for that area of work in school.

2) FORMAL STAGE

There are three formal stages;

Stage 1

If a parent/carer is still dissatisfied after the informal stages, they can refer the matter to the Head of School. This should be done in writing and received within 15 school days after the informal stage. This written response should detail why the parent/carer is still dissatisfied after the earlier discussion with the appropriate member of school staff.

The Head of School will deal with the complaint and, if appropriate, will offer a meeting to the parent/carer at a mutually convenient time.

The Head of School may need to speak to other staff and students to investigate the concerns before writing a response. This should happen within 10 school days. If this timescale cannot be met the Head of School should inform the parent/carer that this will take longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Head of School should, however, give written notice of a realistic timescale for the complaint to be responded to.

Stage 2

If the complaint is still not resolved to the parent/carer's satisfaction, after the involvement of the Head of School, the complaint can be referred to the Chair of Governors. This must be in writing to the Chair at the school address and received within 15 school days. This complaint must specify the unresolved issue and the complainant's preferred outcome.

If the Head of School is the subject of the complaint, the complaint should go straight to the Chair of Governors without going through Stage 1. The Chair of Governors will ask for the complaint to be put in writing (if this has not already happened).

If appropriate, the Chair of Governors will offer to meet with the parent/carer at a mutually convenient time.

The Chair of Governors can elect to appoint an investigating officer to gather evidence and conduct preliminary interviews on the Chair's behalf. The Chair of Governors has 15 school days to investigate the complaint. If it cannot be resolved within this time, the Chair will inform the complainant and explain why it will take longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of Governors should, however, give written notice of a realistic timescale for the complaint to be responded to.

Stage 3

If the complaint is still not resolved to the parent/carer's satisfaction, or the Chair of Governors feels that it is necessary, s/he can set up a Complaints Committee to consider the complaint. The Chair of Governors will decide if this is appropriate.

The Complaints Committee will only be convened if the Chair of Governors is unable to provide a mutually acceptable resolution.

Whilst a Complaints Committee can be called it will only be convened as a last resort when all other avenues have been explored.

The Chair of the Appeals Panel can elect to appoint an investigating officer to gather evidence and conduct preliminary interviews on the Chair's behalf. The investigating officer will provide a detailed report of his/her investigation of the complaint. Parents/carers will be given a copy of this report. It is important that the investigating officer is seen as impartial, so if the investigating officer is another governor, s/he cannot be a member of the associated Complaints Committee.

The Complaints Committee must comprise of three people not directly involved in the matters detailed in the complaint, one of whom must be independent of the Governance, management and running of the school. The Complaints Committee should meet at a time convenient to all parties. The complainant, the Head of School, the Chair of Governors and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish. The Complaints Committee will consider any written material, and also give the person making the complaint and the Head of School, Chair of Governors and staff an opportunity to state their case and to question others present. The committee will ensure that all present are treated fairly. Meeting notes will be taken by the Clerk to Governors and these notes will be used by the committee as a basis for their decision making.

The committee will give its decision, in writing, within 15 school days following the meeting, together with the reasons for their decision.

If after this school based process the complaint is still not resolved to the parent/carer's satisfaction, they should write to the Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

All complaints will be recorded formally by the school in a central log which will indicate at which stage the complaint was resolved. All correspondence, statements and records of complaints are to be kept confidential.

Procedures for primary schools within the Trust

Resolving complaints

At each stage in the procedure the school will want to consider the ways in which your complaint can be resolved which may include acknowledging that your complaint is valid in whole or in part. In addition, it may be appropriate 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 event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

At each stage you will be asked to state what action you feel might resolve the issue

Vexatious complaints

The school defines vexatious complaints as follows:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

The school may judge your complaint to be pursued in an 'unreasonable manner' where your frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the Head of School and school to meet the needs of all pupils equitably.

Where the Head of School and/or Chair of Governors, or other nominated governor judges a complaint to be frivolous or vexatious, having considered all the relevant circumstances, s/he will

take such actions as they consider appropriate which may include rejecting the complaint and/or restricting contact between you and the school.

Any such decision will be communicated to you in writing with the reasons for it.

Where you seek to reopen a matter the same as, or similar to, a matter previously considered under the procedure the Chair of Governors has the right to inform you that the procedure has been exhausted and the matter is closed.

Stages of the procedure

Many concerns and minor complaints can be resolved quickly and informally through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances, every effort will be made by the school to have a full discussion with you and resolve the issues informally before moving into the formal stages of this procedure.

Stage 1 Initial concern (informal)

You should raise your concern/issue by appointment with the Class Teacher as soon as possible. You should not raise your concerns with staff members out of school. The purpose of the meeting should be to establish the nature of the concern and to seek a realistic solution to the problem. The staff member may, if they consider it appropriate, or if so directed by their Line Manager/Head of School, refer you to a more experienced member of staff who will try to resolve your concern informally. Where a particular member of staff (e.g. your child's class teacher) is the subject of the complaint you may choose to have your concerns addressed by a different member of staff. You should ask the School Complaints Co-ordinator to do this.

If your concern is not resolved through such discussion you should seek an appointment with the Head of School or with a member of the Senior Leadership Team, a Deputy Headteacher or Assistant Headteacher. The purpose of this meeting is to establish the nature of your ongoing concern and hopefully resolve it to your satisfaction. It is for the Head of School to determine which staff members should attend any such meeting.

You should note that individual governors are unable to act on a complaint outside of the procedure set out in this document.

If initial attempts to resolve your issues informally are unsuccessful and you remain dissatisfied you may wish to invoke the formal complaints procedure set out below.

Stage 2 Complaint heard by the Head of School /or senior member of staff (formal)

If you remain dissatisfied either with the way in which your concerns have been handled or your issue remains unresolved you may wish to ask the Head of School or senior member of staff, or an appropriate third party as decided by the Head of School to hear your complaint.

The Head of School/or senior member of staff may ask another member of staff to assist with collating information as part of the investigation but the decision on the action to be taken will be made by the Head of School/senior member of staff.

Your complaint should be made in writing to the School Office addressed to the Head of School.

The Head of School, senior member of staff, or other member of staff nominated by him/her, will contact you within 10 working days of receiving your complaint, or as soon as is reasonably practical to arrange a meeting with you at a mutually convenient time. You will be permitted to bring a friend or representative to you at this stage. Where necessary, the Head of School/senior member of staff, or other nominated member of staff, will carry out a full investigation into the issues raised. The Head of School/senior member of staff will give a written response to you within 10 working days of this meeting or as soon as is reasonably practical thereafter.

Where you decline the offer of a meeting this response will be made as soon as possible after you notify the school that you do not wish to meet. Normally this will be within 10 working days. Where you remain dissatisfied with this response, the complaint should move to the third stage of the procedure.

Where your complaint is against the Head of School, the Chair of Governors, another governor or the Local Governing Body as a whole, the complaint will move straight to the third stage of the procedure.

Stage 3 Complaint heard by the Chair of Governors/other governor (formal)

If you are not satisfied with the response of the Head of School/senior member of staff you should write to the Chair of Governors. Complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to the Local Governing Body. You must write by letter or email via the School Office. You must not contact individual governors at their home address.

The Chair/Vice Chair/nominated governor will contact you within 10 working days to offer to meet with you as soon as possible to discuss your concerns.

The Chair/Vice Chair/nominated governor will review the investigation and Head of School/senior member of staff decision and may confirm this decision or reach a different decision. The governor may choose to reinvestigate the complaint in whole or in part.

The Chair/Vice Chair/nominated governor will communicate his/her response in writing to you as soon as possible but, in any case, within 10 working days of the meeting. If this is not reasonably practicable, you will be informed in writing, with reason(s) for the delay.

Where you decline the offer of a meeting the governor will inform you of the outcome of the investigation within 10 working days of your notification that you do not wish to meet or as soon as is reasonably practicable afterwards.

Where you are dissatisfied with this response the complaint should move to the appeal stage of the procedure.

Appeal to the Local Governing Body Stage

If you wish to appeal against the decision made at the formal stage you must indicate your intention to do so within 10 working days of receipt of the outcome of the formal stage.

You must do this by sending a written appeal to the Clerk to the Local Governing Body, either by letter or email. This should state the original complaint and your reasons for appealing the outcome of the previous stages.

A governors' appeal panel will be convened, consisting of three governors who will have had no previous involvement in consideration of the complaint. A complaints appeal meeting will be held in accordance with the procedure attached as Appendix A.

The meeting of the governors' panel should take place as soon as possible, but in any case a date and time should be set and communicated to you within 20 working days of receipt of your request for an appeal. Every reasonable effort will be made by the clerk to agree the date and time with you. Normally the appeal hearing will take place at the school, but for practical reasons an alternative venue may be arranged by the clerk. The governors' decision will be communicated in writing to you as soon as possible but, in any case, within 5 working days of the meeting. The Panel can:

- Dismiss your complaint in whole or in part;
- Uphold your complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure problems of a similar nature do not happen again.

You will have no further right to appeal this decision within the school.

Appendix A

Conduct of Governors' Complaints Panel Meetings

1. Although this procedure may appear formal, the hearing will be conducted in as informal a way as possible, and the Chair of the Panel will make every effort to make all parties feel comfortable.
2. A suitable venue will be provided for the meeting which includes separate waiting areas for the two parties and refreshments for all involved.
3. Every reasonable effort will be made to agree the date and time of the meeting with all parties and witnesses and all relevant documentation will be circulated to all parties by the clerk (appointed by the governors) to the Panel at least five working days in advance of the meeting.
4. Submission of additional documentation will not normally be allowed outside this timescale or at the appeal meeting, but the decision whether or not to allow this will lie with the governors' panel.
5. The meeting will be minuted by the clerk and the draft minutes agreed with the Panel (or if they so resolve by the Chair of the Panel) and then forwarded by the clerk to the complainant for any comment as to accuracy. Any such comments must be returned within 5 working days of being sent. (If by first class post only within 6 working days). The clerk will share any such response with the Chair/Panel (as previously agreed), offering any professional advice or comment, and may accept any amendments in whole or part, or similarly reject them. Any comments not accepted may be appended to the minutes, now approved, for information. The approved minutes should be held by the school and sent to the complainant. The minutes are not to be shared with the Local Governing Body, or any individual governor not on the Panel. However the panel Chair is expected to report back the outcome (without naming any individual) and any actions or learning recommended, to the next full meeting of the Local Governing Body.
6. The meeting may be attended by:
 - the complainant, with a companion if desired (who cannot also be a witness) or a representative;
 - the Head of School and/or Chair of Governors/ nominated governor, as appropriate, with an adviser if required;
 - any witnesses called by either party;
 - the members of the Governors' Complaints Panel;
 - the clerk;
 - an adviser to the Governors' Panel.
7. Members of staff who have been involved in the issue, or other witnesses, may be called upon by either side to attend part of the meeting to provide information to the governors. The Appeal Panel may also seek the attendance of named persons, including staff, if they deem it relevant. However, no person, including staff members, may be required to attend. It is for the Panel to decide if it is reasonable to draw any inference in relation to the facts as a result of non-attendance.
8. Both sides must provide names of any witnesses to be called at least 5 days in advance of the meeting, and the nature of the evidence which they will be providing. Failure to do so may mean that witness may not be permitted to attend the hearing at the discretion of the governors. The panel has the discretion not to admit a witness if they do not consider their evidence to be relevant to the complaint. Witnesses will not be permitted to sit in the appeal hearing before giving their evidence. It is for the Panel to decide what weight to give any written evidence submitted by a person who does not attend the hearing, and whom it is thus not possible to question.
9. There will be no audio or visual recording of the proceedings by any party but a copy of the minutes of the meeting, once approved, will be shared with all parties, as detailed in (5) above.
10. The clerk will ensure the governors' panel select a Chair.
11. The Chair of the panel will introduce all the parties present and explain the procedure to be followed, and that every effort will be made to keep the process as informal as possible.
12. The complainant (or companion/ representative) will outline the complaint and explain why they are dissatisfied with the school's response to date. They may call any witnesses in support of the

complaint who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.

13. The Head of School/ Chair /nominated governor will have the opportunity to ask the complainant and any witnesses' questions.

14. The panel may ask questions of any party at any point. With the agreement of the Panel Chair, any adviser to the Panel may also ask questions of either party.

15. The Head of School and/or the Chair of Governors will explain their/their staff member's involvement in the complaint and the reasons for their decisions at the informal and first/second formal stage. The Head of School and/or Chair of Governors may call any witnesses in support of his/her statement who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.

16. The complainant and the governors will have the opportunity to ask questions of the Head of School and/or Chair of Governors.

17. Both parties will be given the opportunity to sum up their statements, ending with the complainant. No new material may be introduced at this stage.

18. The governors may decide to adjourn the hearing pending further investigation, or to consider or clarify any procedural point at any stage, if this seems necessary.

19. Both parties will leave the meeting and the governors will consider the information that has been put to them. The clerk, and any adviser to the panel, will remain for this part of the meeting in order to clarify anything if necessary, and to offer advice, but the governors' deliberations will not be minuted.

20. The governors' panel must reach a unanimous or majority decision as to whether or not to uphold the complaint wholly or in part, and what action (if any) the school needs to take to resolve the complaint. This may include referring the matter to another formal process, whether in relation to a complaint against a governor or a member of the school staff. Normally the governors will reach a decision at this point but they may feel the need to take further advice and adjourn. Where this is the case they will endeavour to reach a decision as soon as possible. Normally this should be within five working days, with any subsequent delay detailed in writing to the complainant by the clerk at the earliest opportunity.

21. The Clerk will communicate the governors' response to both parties in writing as soon as possible but, in any case, within 5 working days of reaching their decision. The governors' response will detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion. The response will also include any lessons learnt and specify any action to be taken by the school as a result of the complaint and within what timescale.

Each school has a right and a duty to protect its employees from complaints that are malicious, personally offensive, including obscenities, racist or homophobic language. Problems arise where a complainant is unreasonable and is not seeking to have a situation remedied but instead is determined to exact retribution for some real or imagined wrong. We reserve the right not to deal with such complaints. The decision not to consider a complaint of this nature will be taken by the Chair of Governors or Vice Chair of Governors along with a member of the Senior Leadership Team.

Schools reserves the right to limit the method of contact of such complaints and restrict who the complainant may communicate with in school.

The school also reserves the right not to consider a complaint that has been re-submitted with only minor differences after we have addressed the complaint.

Equality Impact Statement

Names and titles of people involved with this assessment	Wendy Searle – Acting SENCO Dave Brown – Deputy Headteacher
Impact assessment carried out with regard to identified characteristics	Race <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Religion & belief <input type="checkbox"/> Sexual orientation <input type="checkbox"/>
Summary of any issues/proposed changes	N/a
Date	30.05.2017
Date of next review	30.05.2018