



Innovate
Multi Academy Trust

Complaints Procedure

Approved by: K Falvey

Date: November 2021

Next review due by: 2023

Availability of the Complaints Policy

This policy will be used across each Academy within INNOVATE Multi Academy Trust for all complaints from parents/carers or other parties.

A copy of the complaints procedure is available from each of our School Offices and on the school websites:

www.badbyschool.com

www.kilsbyprimary.net

www.weedonbecprimary.co.uk

www.woodfordhalseacademy.net

www.paulerspurysschool.co.uk

www.rothersthorpeprimary.net

www.innovatemat.org

Introduction

We believe that our trust provides a good education for all our children, and that the heads of school and all staff work very hard to build positive relationships with all parents/carers. However, the trust is obliged to have procedures in place in case there are complaints by parents or other parties.

If any parent/carer is unhappy with the education that their child is receiving, or has any concern relating to the trust, we encourage that person to talk to the child's class teacher immediately.

We deal with all complaints in compliance with guidance/regulation set out by the Department for Education, The Education Funding Agency (EFA) and The Education (Independent School Standards) Regulations 2014. We have adopted a three-stage process for dealing with complaints:

Stage 1 – Complaint heard by member of staff

Stage 2 – Complaint heard by Head of School

Stage 3 – Complaint heard by Complaint Panel

Aims and Objectives

Our trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint, we endeavour to deal with it as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

Complaints Procedure

Our Complaints Procedure will:

- Encourage resolution of problems by informal means wherever possible;

- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide effective response and appropriate redress, where necessary;
- Provide information to the academy's senior management team to enable services to be improved.
- The academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

Stage 1 – Informal Resolution

Most concerns will be dealt with informally and parents/carers are encouraged to speak to a member of staff to discuss your concerns. The formal procedures set out below will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

If a parent/carer is concerned about anything to do with the education that we are providing within our trust, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and are making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

Our academies operate an open door policy and as such, parents/carers may wish to book in some time to talk to the Head of School if this would be beneficial in resolving your concern informally.

Should the complaint be about the Head of School, either a Director of Education or the Chief Executive Officer will do all they can to resolve the issue informally through a dialogue with those concerned.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis (as set out in the above paragraphs), then parents/carers should put their complaint in writing (using Appendix 1 attached) and hand this into the academy for the attention of the Head of School.

The Head of School considers any such complaint very seriously. The complaint will be investigated thoroughly (by the Head of School or a person delegated to undertake the investigation).

The Head of School will decide, after considering the complaint, the appropriate course of action to take and in most cases, the Head of School will meet or speak with the parents/carers concerned to discuss the matter. If possible, a resolution will be reached at this stage. The Head of School will use reasonable endeavours to speak to or meet parents/carers within 10 school days of the formal complaint being received.

Once the Head of School is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made which will be communicated to parents/carers in writing giving the reasons for the decision. The written decision should be provided no later than 10 school days after speaking with or meeting with parents/carers to discuss the matter.

The academy will hold a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the academy's decision. The record will be retained for 1 year after the pupil leaves the academy.

Should the complaint be about the Head of School, it will then be considered by either a Director of Education or the Chief Executive Officer who will follow the above steps.

Only if Stage 2 proceedings fail to resolve the matter should a complaint progress to Stage 3.

Stage 3 – Complaint Panel

If parents/carers seek to invoke Stage 3, following failure to reach an earlier resolution with the Head of School or Chief Executive Officer's decision, in respect of their formal complaint. They may request that their complaint is considered by a Complaints Panel. Such a request must be made in writing addressed to the Clerk of the Local Governing Body care of the academy. This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.

Parents/carers must lodge their appeal in writing within 10 school days of the date of the academy's decision made in accordance with the Stage 2 procedure. The parents/carers should provide, in writing, a list of the complaints made against the academy and which they believe to have been resolved unsatisfactorily by the Stage 2 procedure, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

When an appeal is received by the academy, the academy will, within 5 school days, refer the matter to the Clerk of the Local Governing Body who will act as Clerk for the Complaints Panel. Where the appeal is received by the academy during academy holidays, or within 2 working days of their commencement, the academy has 5 school days upon commencement of the school term to refer the matter to the Clerk.

The Clerk provides an independent source of advice on procedure for all parties.

On receipt of an appeal, the Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible, usually no later than 20 school days after receipt of the notification from the parents/carers that they wish to invoke Stage 3. The Panel date will be dependent upon the availability of the Panel members.

The Independent Complaints Panel will consist of two governors from the Local Governing Body who have not previously been involved in the complaint, and one person independent of the management and running of the school who will be selected from the Local Governing Body of another school/academy, or the board of trustees.

The following are entitled to attend a hearing and/or, submit written representations and address the Panel:

- The parent(s)/carer(s);
- The Head of School of the academy
- Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
- Where required, the Complaints Panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the Clerk who will distribute the information to the relevant parties in advance of the hearing.

The Complaints Panel will follow the procedures set out in Appendix 2.

After due consideration of the facts considered relevant, the Panel will reach a decision, and make recommendations, which it shall complete within 10 school days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the academy will need the appropriate approval from the Academy Trust, although any such approval must be compatible with the decision of the Complaints Panel. There is no further right of appeal to the Local Governing Body or Academy Trust. All complainants have the right, as a last resort, to contact the Education Funding Agency if they are not satisfied with the way in which their complaint has been considered. You can contact the EFA via their complaints form on the following link [EFA Complaint Form](#)

Unreasonable complaints - Vexatious complaints

If a complaint is made that raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not re-investigate the complaint unless there are exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Head of School will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education if they wish to take the issue further. Unreasonable complaints include the following scenarios:

- the complainant refuses to cooperate with the school's relevant procedures;
- the complainant changes the basis of the complaint as the complaint progresses;
- the complainant seeks an unrealistic outcome;
- excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate;
- the complainant acts in a way that is abusive or offensive.

The Head of School will use their discretion to choose not to investigate these complaints. If they decide to take this course of action, the Chair of Governors must be informed, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Head of School to investigate the complaint. The full complaints procedure will then commence from stage one in this direction. If the Chair upholds the Head of School's decision not to look into the complaint, and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education.

Monitoring, Evaluation and Review

The Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout each academy in the Trust.

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

Thank you for completing the form and providing us with details of your complaint.

Please send in your completed form to the Head of School, care of the school office or via the following email address:

Badby Primary School - bursar@badby.northants-ecl.gov.uk

Kilsby CE Primary School - bursar@kilsby-ce.northants-ecl.gov.uk

Weedon Bec Primary School - office@weedonbecprimary.co.uk

Woodford Halse Primary Academy - general.enquiries@woodfordhalseacademy.net

All paperwork will be held on file securely by the school.



Complaint Form

Please complete and return to the email address of the school who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil's Name (if relevant):
Your relationship to the pupil (if relevant)
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)

[Complaint Panel Procedure: Complaint Stage Three](#)

Initial Procedure

If parents/carers seek to invoke Stage 3, following failure to reach an earlier resolution with the Head of School or Chief Executive Officer's decision, they may request their complaint is considered by a Complaints Panel. Such a request must be made in writing addressed to the Clerk of the Local Governing Body care of the Academy.

Parents/carers must lodge their appeal in writing within 10 school days of the date of the Academy's decision made in accordance with the Stage 2 procedure. The parents/carers should provide, in writing, a list of the complaints made against the Academy and which they believe to have been resolved unsatisfactorily by the Stage 2 procedure, along with the remedies sought in respect of each.

Where an appeal is received by the Academy, the Academy will, within 5 school days, refer the matter to the Clerk of the Local Governing Body who will act as Clerk for the Complaints Panel. Where the appeal is received by the Academy during Academy holidays, or within 2 working days of their commencement, the Academy has 5 school days upon commencement of the school term to refer the matter to the Clerk.

On receipt of an appeal, the Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible, usually no later than 20 school days after receipt of the notification from the parents/carers that they wish to invoke Stage 3. The Panel date will be dependent upon the availability of the Panel members.

Who can attend

The Independent Complaints Panel will consist of two governors from the Local Governing Body who have not previously been involved in the complaint, and one person independent of the management and running of the school who will be selected from the Local Governing Body of another academy within the Trust. If all governors from the Local Governing Body have already been involved in the complaint, two directors will be asked to form the panel. The panel may, on occasion, consist of five members, but will always be an odd number.

The following are entitled to attend a hearing and/or, submit written representations and address the Panel:

- The parent(s)/carer(s);
- The Headteacher/Executive Headteacher of the Academy

- Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

The complainant may bring someone along to provide support, this can be a relative or friend. Neither party is recommended to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if an Academy employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. This decision will be made at the discretion of the Panel Chair.

Note: Complaints about staff conduct will not generally be handled under this Complaints Procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

Before the Meeting

At least 5 school days before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Confirm and notify the Academy representative of the date, time and venue of the meeting ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;

Where required, the Complaints Panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the Clerk who will distribute the information to the relevant parties in advance of the hearing, in the form of an evidence pack. The usual timescale for the distribution of information is **five school days prior to the meeting**, to allow the panel time to review all necessary information. Information submitted after this date will only be considered at the discretion of the Panel Chair. If this is agreed to, it may be necessary to have a short adjournment at the beginning of the meeting, to give all parties time to consider this new information.

The Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The Panel and Clerk may meet prior to the meeting, to ensure the process and purpose of the meeting is understood by all panel members. Neither the complainant nor the school representatives are permitted to attend this pre-meeting.

During the Meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

Complaints panels will be conducted in the following running order:

1. Opening from the Panel Chair, in which they will ensure all present have received necessary information in advance and understand the purpose of the meeting;
2. The complainant will make his/her case. The panel can then ask questions about the complaint;
3. The school will do the same, and will also be questioned by the panel;
4. There will be an opportunity for cross-questioning if necessary;
5. The Chair should check that all parties feel they have been heard, and have had adequate opportunity to put forward their case;
6. Both parties will then be asked to withdraw while the panel deliberates in private. Neither party should have the opportunity to speak to the panel alone. If an adjournment is needed by either party, both parties should retire to separate waiting rooms until the panel resumes.
7. After consideration of the case, the panel may re-open the meeting and call back both parties to inform them of whether they have decided to reject or uphold the complaint. Alternatively, the panel can choose to let those concerned know of their decision at a later date

The Committee will consider the complaint and all the evidence presented.

The Committee can:

- uphold the complaint, in whole or in part;
- dismiss the complaint, in whole or in part.

If the complaint is upheld, in whole or in part, the Committee will:

- decide on the appropriate action to be taken to resolve the complaint;
- where appropriate, recommend changes to the Academy's systems or procedures to prevent similar issues in the future.

After the Meeting

After due consideration of the facts considered relevant, the Panel will reach a decision, and make recommendations, which it shall complete within 10 school days of the hearing. The outcome will be communicated to the complainant via letter, sent from the Panel Chair on behalf of the panel.

The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the academy will need the appropriate approval from the Academy Trust, although any such approval must be compatible with the decision of the Complaints Panel. There is no further

right of appeal to the Local Governing Body or Academy Trust. All complainants have the right, as a last resort, to contact the Education Funding Agency if they are not satisfied with the way in which their complaint has been considered. You can contact the EFA via their complaints form on the following link [EFA Complaint Form](#)

Roles and Responsibilities

The Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- cooperate with the Academy in seeking a solution to the complaint;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint; ask for assistance as needed;
- treat all those involved in the complaint with respect;
- refrain from publicising the details of their complaint on social media and respect confidentiality.

The Clerk

The Clerk provides an independent source of advice on procedure for all parties. The clerk should not have been involved in prior stages of the complaint, or be closely connected with it in another other way. Where this is the case, an alternative clerk should be appointed from within the trust.

The clerk will:

- ensure that all people involved in the complaints procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR);
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale;
- record the proceedings;
- circulate the minutes of the meeting;

The Panel Chair

The Chair to the Complaints Panel, who is nominated in advance of the panel, should ensure:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- both the complainant and the Academy are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself;
- the issues are addressed;
- key findings of fact are made;

- the Committee is open-minded and acts independently;
- no member of the Committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- the meeting is minuted;
- they liaise with the Clerk.

The Panel Members

Members of the panel should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No Governor may sit on the Committee if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the academy and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations;
- many complainants will feel nervous and inhibited in a formal setting;
- parents/carers often feel emotional when discussing an issue that affects their child;
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting:
 - Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
 - The Committee should respect the views of the child/young person and give them equal consideration to those of adults. o If the child/young person is at the centre of the complaint, the Committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
 - However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Committee considers is not in the child/young person's best interests.
 - The welfare of the child/young person is paramount.

Recording the Complaint

The Academy must record:

- The progress of the complaint and the final outcome
- Whether the case progressed to a panel hearing
- The action taken by the school or the trust, regardless of outcome

This record must be kept secure and must be available for inspection on the school premises by the Head of School.

- For major complaints, records should be kept for 6 years after the complaint is resolved.
- For complaints related to negligence, records should be kept for 15 years after the complaint is resolved.
- For complaints related to child protection or safeguarding issues, records should be kept for 40 years after the complaint is resolved.

Forms for academies

[Complaints Panel Deliberation Template for Clerks](#)

[Complaints Panel Decision Letter Template](#)