

DIOCESE OF
ST ALBANS
MULTI-ACADEMY TRUST

Complaints Policy

Adopted by the Board of Directors
Amended revision of June 18 policy

This policy is a mandatory policy for all DSAMAT Academies and must be implemented with no amendments.

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1. Introduction

Diocese of St Albans Multi-Academy Trust Complaints Policy

This policy applies to all academies in the Diocese of St Albans Multi-Academy Trust (DSAMAT).

Compliments

These are always welcome and very encouraging to teachers and staff. The academy encourages feedback or opinions from pupils and parents or carers. In practice this dialogue is continuous, sometimes directly and also indirectly, for example, through a Parents' Consultative Group. It may not always be possible to act immediately but pupils and the academy always benefit so please don't hold back.

Concerns

It is natural that parents or carers may, occasionally, be concerned about an aspect of their child's education or welfare at academy.

This could include issues concerning the academy's approach to aspects of the curriculum, homework, behavioural problems or any other issue. The academy welcomes enquiries from parents or carers about any matter. Teachers and staff will explain the academy practices, policies, and how they affect the pupils. The vast majority of concerns will be handled by the class teacher or by the subject co-ordinator if this is more helpful. If in doubt, keep asking until you are completely satisfied as all staff are eager to help.

The usual format is to speak to the child's class teacher in the first instance, or to contact the academy office to arrange an appointment to discuss your concern with whomever you wish. At all times the staff will help to resolve a problem. If occasionally parents or carers feel they must state their concern formally, this is not a problem either. The academy has defined procedures for handling complaints, so don't be embarrassed if you feel an issue warrants more attention.

Complaints

The procedure is again to speak to the child's class teacher in the first instance, or contact the school office to arrange an appointment to discuss your complaint with whomever you wish. The academy's policy is to follow Department for Education guidelines when handling concerns and complaints. Just ask if you would like advice or a copy. It would be unusual to deviate from these procedures but the academy always retains discretion in these matters.

In summary, the nationally accepted procedure is divided into three stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in the academy.

Stage 2 is the first formal stage where written complaints are considered by the headteacher (or a designated Chair of the Academy Council/Regional Hub Board if the complaint is about the headteacher), who has responsibility for dealing with complaints.

Stage 3 is the next step once Stage 2 is complete. It involves a review of the complaint by the Chair of the Academy Council/Regional Hub Board who will convene a complaints review panel, one panel member being independent of the management and running of the academy.

Record Keeping

A written record of all complaints is kept confidential , including:

- Whether they were resolved at Stage 2 or progressed to a Stage 3 Panel Hearing
- What action was taken by the academy as a result of the complaint (whether or not it was upheld)

The Education Skills Funding Agency (ESFA)

If you are unhappy with the outcome of your complaint or the way it has been handled at academy level, you can contact:

The Education Skills Funding Agency (ESFA) and who handles complaints about open academies and free schools. Part of their role is to make sure academies comply with the terms of their funding agreement, which is a contract between the academy and the Secretary of State. Before submitting a complaint to the ESFA, your first step should be to make a complaint directly to the academy, following its complaints procedure.

Complaints about academies should be sent:

- via the Department for Education's academies [complaints form](#)
- by post to

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester M1 2WD

2. Complaints procedures

2.1 Our procedures for dealing with general concerns

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in academy (as described on pages 2 and 3 of this guidance).

Stage 2 is the first formal stage at which written complaints are considered by the headteacher (or a designated Chair of the Academy Council/Regional Hub Board if the complaint is about the headteacher), who has responsibility for dealing with complaints.

Stage 3 is the next stage once Stage 2 has been worked through. It involves a review by the Chair of the Academy Council/Regional Hub Board who will then convene a complaints review panel; one panel member will be independent of the management and running of the academy.

How each of these stages operates is explained below:

2.2 Stage 1 - Your initial contact with the academy

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. This will usually be within three working days. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this in writing to you.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

2.3 Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern as outlined under Stage 1 above.

1. Normally, your written complaint should be addressed to the headteacher. If, however, your complaint concerns the headteacher personally, it should be sent to the academy marked "For the attention of the Chair of the Academy Council or Chair of the Regional Hub Board".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days. We will enclose a copy of these procedures with the acknowledgement.
3. Normally we would expect to respond in full within ten working days but, if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
4. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
5. The headteacher or Chair of the Academy Council/Regional Hub Board may also be accompanied by a suitable person if they wish.
6. Following the meeting, the headteacher or Chair of the Academy Council/Regional Hub Board will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
7. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
8. If the complaint is against a member of staff, it will be dealt with under the academy's internal confidential procedures, as required by law.
9. The headteacher or Chair of the Academy Council/Regional Hub Board will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
10. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's or Chair of the Academy Council/Regional Hub Board's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
11. If you are not satisfied with the outcome of the Stage 2 investigation and the academy's findings, you may wish to proceed to Stage 3, as described below.

2.4 Stage 3 - Consideration by a complaints review panel

- If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, you should write to the Chair of the Academy Council or Regional Hub Board. It should be sent to the academy marked "For the attention of the Chair of the Academy Council or Chair of the Regional Hub Board".
- The Chair of the Academy Council or Regional Hub Board will review the complaint and undertake an investigation. They will instruct the Clerk to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at academy level.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors, one panel member being independent of the management and running of the academy, who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the academy and the parent or carer. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the Academy Council/Regional Hub Board will aim to arrange for the panel meeting to take place within 20 working days.
2. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person if you wish.
3. The headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the academy, but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the academy. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.

7. With the agreement of the chair of the panel, the headteacher may invite members of staff directly involved in matters raised by you to attend the meeting.
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
7. The chair of the panel will ensure that the meeting is properly minuted.
8. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the academy's response from the headteacher;
 - you to question the headteacher about the complaint;
 - you to be questioned by the headteacher about the complaint;
 - the panel members to be able to question you and the headteacher;
 - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
 - you and the headteacher to make a final statement.
10. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the headteacher and yourself within two weeks. All participants other than the panel and the clerk will then leave.
11. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the academy's systems or procedures to ensure that similar problems do not happen again.
12. The clerk will send you and the headteacher a written statement outlining the decision of the panel within two weeks. The letter will explain what further recourse, beyond the governing body, is available to you.
13. Where the Panel makes findings and recommendations, a copy of those findings and recommendations will be:
 - (i) provided to you as the complainant and, where relevant, the person complained about;

and (ii) available for inspection on the school premises by the proprietor and the Headteacher.

14. The Academy will ensure that a copy of all correspondence and notes are kept confidentially on file in the Academy, except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills Act 2008 requests them. This will be separate from the pupils' personal records.

2.5 Closure of complaints

- Very occasionally, an academy will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied and has completed all 3 stages of the complaints procedure.
- We will do all we can to help to resolve a complaint against the academy, but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the academy - to the headteacher, designated governor, Chair of the Academy Council/Regional Hub Board or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the complaint has completed all 3 stages of the procedure.

2.6 Other sources of information and advice

The ESFA has published guidance – "Procedure for dealing with complaints about academies", which can be found [here](#).

2.7 What happens if you're not happy with the outcome?

If you are unhappy with the outcome of your complaint, or the way it has been handled at academy level, you can contact The Education and Skills Funding Agency (ESFA) who handles complaints about open academies and free schools. Part of their role is to make sure academies comply with the terms of their funding agreement, which is a contract between the academy and the Secretary of State. Before submitting a complaint to the ESFA, your first step should be to make a complaint directly to the academy, following its complaints procedure.

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Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street

Appendix 1

Complaints not in scope of the procedure

The complaints procedure covers all complaints about any provision of facilities or services that the academy provides with the exceptions listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to academies • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation 	Concerns should be raised direct with local authorities (LA). For academy admissions, the admissions authority is the Diocese of St Albans Multi Academy Trust, admission appeals are dealt with by the Local Government Ombudsman.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions
Whistleblowing	Academies have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
Staff grievances and disciplinary procedures	These matters will invoke the academy's internal grievance procedures. Complainants will not be informed of the outcome of any investigation
Complaints about services provided by other providers who may use academy premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct

Appendix 2

Legal Context

In accordance with the **Education (Independent Schools Standards (England)) Regulations 2014, Schedule 1, Part 7**, all academies must make available to all parents and carers a robust and effective complaints procedure to deal with all complaints relating to their academy and to any community facilities or services that the academy provides.

These regulations state that all complaints policies must:

- a. be in writing
- b. be made available to parents/carers of pupils
- c. set out clear timescales for the management of the complaint
- d. allow for a complaint to be made and considered initially on an informal basis
- e. where the parent/carer is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establish a formal procedure for the complaint to be made in writing
- f. where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), make provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint
- g. ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school
- h. allows for a parent to attend and be accompanied at a panel hearing if they wish
- i. provide for the panel to make findings and recommendations and stipulate that a copy of those findings and recommendations is:
 - i. provided to the parent/carer and, where relevant, the person complained about; and
 - ii. available for inspection on the school premises by the proprietor and the head teacher
- j. provide for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and:
 - i. whether they are resolved following a formal procedure, or proceed to a panel hearing; and
 - ii. action taken by the school as a result of those complaints (regardless of whether they are upheld); and
- k. provide that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

