



# **CONCERNS AND COMPLAINTS POLICY AND PROCEDURE**

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## Introduction

Welcome to our Academy Trust Concerns and Complaints Policy and Procedure. We want everyone in our school community to feel heard and supported.

Understanding the difference between a concern and a complaint is very important. If you have any concerns or complaints, this policy will help you understand how to raise any issues and how we will look into resolving them.

We are committed to addressing concerns and complaints quickly and fairly, so we can keep our schools a great place for everyone. We prefer to resolve issues informally when possible. This is usually how we deal with **concerns**. If this doesn't work, we follow formal procedures that are associated with managing **complaints**.

### 1. Definitions and Scope

**Definitions explain what we mean by certain terms, like "concern" and "complaint." Scope outlines what this policy covers and what it doesn't, helping you understand where and how to raise different types of issues.**

The Department for Education (DfE) guidance helps us understand the difference between a concern and a complaint.

- **Concern:** An expression of *worry* or *doubt* about an important issue where reassurance is sought. We try to resolve concerns through everyday communication as much as possible.
- **Complaint:** An expression of *dissatisfaction* about actions taken or not taken. We still aim to resolve complaints as informally and as early as possible. However, a complaint is associated with a formal process and requires at least one independent person, and sometimes a committee of independent people, to resolve.

Sometimes, concerns need to be raised formally. This policy explains how to handle those complaints.

This policy does not cover complaints about:

- Admissions
- Statutory assessments of special educational needs (SEND)
- Safeguarding matters or Prevent
- Exclusions and suspensions
- Whistleblowing
- Grievances from members of staff

- Staff discipline
- Anti-fraud policy and plan

For these issues, please refer to our separate policies or ask at the school office for more information.

## 2. Aims

**When dealing with concerns and complaints from parents or carers of pupils at our schools or anyone else, we aim to:**

- Be fair and neutral
- Address all concerns and respond quickly and effectively
- Respect the privacy of those raising a concern or making the complaint
- Treat everyone with respect
- Conduct a thorough investigation by an independent person or panel if needed
- Keep everyone updated on the progress of their concern or complaint
- Use feedback to help improve our schools

We want to give everyone the chance to go through the full concern or complaints process if necessary. To help with this, we make sure this policy is easy to find on our Trust and school websites.

## 3. Legislation and Guidance

**Referring to legislation and guidance is important because it ensures our complaints process is fair, legal, and effective. It helps us follow the rules set by the government, making sure we handle concerns or complaints correctly and provide a clear and consistent approach. By using trusted guidelines, we can provide a clear and consistent approach, giving everyone confidence in how we deal with concerns. This helps us maintain high standards and improve our schools based on valuable feedback.**

This document follows the rules in part 7 of the [Education \(Independent School Standards\) Regulations 2014](#), which requires us to have a written procedure for handling complaints from parents and carers. It also covers complaints from members of the public who are not parents of children at one of our schools.

We also use guidance from the Education and Skills Funding Agency (ESFA) and the Department for Education (DfE) to make sure our complaints procedure is up to standard.

This policy complies with our funding agreement and articles of association. It also meets the requirements for handling complaints about our Early Years Foundation Stage.

At any stage of the concerns or complaints process, we may seek legal advice if needed.

## 4. Principles for Investigation

**When we look into a concern or complaint, we want to:**

- **Find out what happened**
- **Know who was involved**
- **Understand what the person raising the concern or making the complaint wants to happen**
- **Think about whether there are any risks in telling the person who's being complained about the issue**
- **Decide if we need to tell any important organisations like the ESFA or the police**

We will try to deal with concerns and complaints quickly by setting reasonable deadlines for each step. If we need more time, we'll tell the person raising the concern or making the complaint why.

Concerns or complaints should be raised with us within three months of the problem happening. But if there's a good reason for waiting longer and it's still fair to look into the complaint, we'll do it.

## 5. How to express a concern or make a complaint

### Who to contact

**Knowing the right person to contact and how to contact them will help your concern or complaint to be resolved as quickly as possible.**

<b>Who or what is the concern or complaint about?</b>	<b>Who you should contact</b>	<b>How you should contact them</b>
A process or procedure within the school	<i>First</i> contact the member of staff involved, <i>then</i> if this doesn't resolve things contact the Headteacher	Call or write to the school using the contact information on the school website
A child	<i>First</i> contact the member of staff involved, <i>then</i> if this doesn't resolve things contact the Headteacher	Call or write to the school using the contact information on the school website
Support for children with SEND	<i>First</i> contact the special educational needs and/or disabilities coordinator (SENDCO), <i>then</i> if this doesn't	Call or write to the school using the contact information on the school website

	resolve things contact the Headteacher	Each school has its own SEND policy and Information report, which explain parents' rights if they believe their child has been discriminated against. You can read this on each school website.
A member of staff	The Headteacher	Call or write to the school using the contact information on the school website
A Headteacher	The Chair of the Local Governing Board	Write to them using the contact information on the school website
A Governor or the Chair of Governors	The CEO	Use the enquiry form on the Trust website at <a href="http://peakedge.org.uk/contact/">peakedge.org.uk/contact/</a>
A Trustee or Member	The CEO	Use the enquiry form on the Trust website at <a href="http://peakedge.org.uk/contact/">peakedge.org.uk/contact/</a>
The CEO	The Chair of the Trustee Board	Use the enquiry form on the Trust website at <a href="http://peakedge.org.uk/contact/">peakedge.org.uk/contact/</a>

## Exclusions

For concerns or complaints about exclusion, visit: [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions).

## Whistleblowing

Our Trust has an internal whistleblowing procedure for employees and volunteers, [which you can read on our website](#). Other concerns can be raised directly with Ofsted via email at [whistleblowing@ofsted.gov.uk](mailto: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.

## Services (for example school meals or bus services)

Complaints about services from other providers using Trust premises should be made to the provider concerned. Contact our school office if you're not sure who you need to contact and we can help you find contact information.

## Complaints About Early Years Requirements

If someone complains in writing about how we're following Early Years Foundation Stage requirements, we'll look into it and let them know what we find within 28 working days. We'll keep a record of these complaints and share them with Ofsted if they ask.

Parents and carers can tell Ofsted if they think we're not following the Early Years Foundation Stage requirements by calling 0300 123 4234 or 0300 123 4666, or emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). They can also use an online form at [www.gov.uk/government/organisations/ofsted#org-contacts](http://www.gov.uk/government/organisations/ofsted#org-contacts).

We'll tell parents and carers if any of our schools are going to be inspected by Ofsted and give them a copy of the report when it's published.

## 6. The stages of resolving a concern or complaint

**The following sections explain the process to follow and how your concern or complaint will be resolved (and what to do if you feel something more can be done).**

**It is important that you decide whether you are expressing a concern or making a complaint.**

**It is important to know that both concerns and complaints will result in separate discussions with the person raising the issue and the person the concern or complaint is about. Any investigation will be carried out by a neutral individual or committee.**

### Stage 1: Informal (You have a concern)

**We take informal concerns seriously and try to fix things quickly. Sometimes, just giving or getting more information can solve the problem.**

If you have a concern, talk to the right staff member or the Headteacher of the school as soon as possible. You can do this in person, by letter, phone, or email.

We'll let you know we received your concern within 5 working days and aim to resolve it within 10 working days. If it's a tricky problem and we need more time, we'll tell you why and give you a new deadline.

If we can't resolve the problem informally, we'll move to a formal complaint.

### Stage 2: Formal (You wish to make a complaint)

**The formal stage means you write down your complaint, usually to the Headteacher or the person you're complaining about. We have a form for this at the end of this document. You should include details like dates, times, and names of witnesses, and any important documents. Also, say what you think would solve the problem.**

If you express a concern using language that sounds like a complaint, or makes serious allegations, we may treat it as a complaint. If we need to do this, we will let you know what the next steps will be in dealing with the complaint.

Someone independent of the issue (e.g. the Headteacher, a Governor or someone else from the Trust) will investigate. You'll get their written report on their findings within 10 working days.

If you're not happy with the answer and want to take it further, write to the Chair of the Local Governing Board (LGB) within 15 working days. If the Chair has already had some involvement in the complaint, they may ask another Governor to look into it for them. You can find out how to contact them by looking at the school's website. In situations where the LGB and SLT are too close to the issue, a Governor from another school or representatives from the Trust can be involved.

They'll look into it and give you their written answer within 20 working days.

If you're still not satisfied you should write to the CEO within 15 working days of getting the last answer. You can contact the CEO using the enquiry form on the Trust website at [peakedge.org.uk/contact/](https://peakedge.org.uk/contact/)

### Stage 3: Review Panel

**If you feel the complaint isn't resolved after the formal stage, your complaint will go to a review panel. This should happen within 20 working days after you move to this stage.**

The panel will be chosen by the Trust and must have at least three people who weren't involved in your complaint. One member will be the CEO or someone nominated by the CEO. At least one member must not be connected to running the Trust, like a Headteacher from another school that isn't part of the Trust. The panel can't be made up only of people from the Governing Board or Trustees because then it would not be independent.

If your complaint is about a Headteacher, CEO, Governor, or Trustee, one panel member should be a Trustee or Member.

The panel will get all the records about your complaint.

You'll get reasonable notice of the panel meeting, but it will need to be held when it's possible for all members of the panel to meet rather than to just base the timing on when the person making the complaint is available. You are welcome to bring someone with you if you want to.



At the meeting, the panel will meet with the person making the complaint and the person being complained about separately. This will make sure everyone will have a chance to give their opinion and show evidence independently. Witnesses might also speak. After everyone has said what they need to, they'll leave while the panel has a discussion.

If pupils need to be spoken to, we'll make sure we have permission from their parents to talk to them. A single panel member will talk to them, and their parents can come along if they want to or we can ask a staff member go along with the child. We will always make sure we follow safeguarding regulations.

The panel will agree a decision about your complaint and suggest ways to stop similar problems in the future. They'll write down their findings and share them with you, the person you complained about, and the Headteacher. The report will also go to the Trustee board.

If any action is taken against a staff member, we'll use the phrase "appropriate action has or will be taken" in the report to protect their rights.

You'll get the decision in writing within 15 working days after the meeting.

The aim of the meeting is to resolve the problem and to try and improve the relationship between you and the school and Trust. We'll do our best to resolve matters but sometimes we can't resolve things in exactly the way you might want, even though we're taking your complaint seriously.

## 7. Referring Complaints upon Completion of the Trust's Procedure

**If you're still not happy after going through our concerns and complaints procedure, you can take your complaint to the ESFA. They'll check if we followed the correct procedure, but they won't change our decision.**

However, they will look into:

- If there was any unnecessary delay or if we didn't follow our own procedure
- If we broke any rules in our funding agreement with the secretary of state
- If we didn't meet any other legal requirements

The ESFA won't look into complaints older than 12 months unless there's a good reason for the delay or if there's proof we're not following the law.

They won't consider complaints that:

- Are malicious
- Use rude or offensive language
- Insult our staff
- Are the same complaint sent repeatedly with only small changes

The ESFA deals with complaints about academies fairly. They believe:

- Academies should listen to real complaints
- Complaints should be resolved quickly, fairly, and at the lowest level possible
- Equality laws should be considered when dealing with complaints

If they find we didn't handle your complaint correctly, they'll ask us to look into it again. They might ask us to make changes to our procedure for dealing with complaints.

For more information or to send a complaint, visit: [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

## 8. Serial and Persistent Complaints

**When someone continues to raise the same issue even after we've followed the complaints procedure and explained our decision, and we've done all we can to resolve it, the Chair of Governors/Chair of Trustees (or another suitable person if the complaint is about the Chair) will officially tell the person making the complaint that the matter is closed.**

If they contact us again about the same issue, we will reply to say the case is closed.

Usually, this happens when:

- We've already done everything we can to help them *and*
- We've clearly explained our decision and what they can do next *and*
- They keep contacting us but are saying the same thing repeatedly.

There are other reasons we might not reply, for example if:

- We think the person contacting us is trying to be disruptive or inconvenient
- Their messages are rude or aggressive
- They are making insulting or personal comments or threats about our staff

If someone's behaviour is unreasonable, like being rude or threatening, the complaint would be considered 'vexatious.' This means the complaint will not be considered any further.

Once we decide it's best to stop replying, we'll tell the person in writing, either by letter or email.

When we make this decision, we make sure we still listen to new complaints, and our schools keep acting fairly.

## 9. Record-Keeping

**We will monitor and record all complaints, noting what we've done at each step, when we resolved them, and what the final outcome was. This includes keeping copies of letters and emails, and noting what happened in meetings or phone calls.**

This information will be kept private and stored at each school in the Trust. However, if the secretary of state (or someone acting on their behalf) or the person making the complaint asks for access to complaint records through a freedom of information (FOI) request or under the General Data Protection Regulations, we are required to share them. They might also need to be shown during a school inspection.

We'll keep complaint records for 6 years after the complaints process is finished. We won't share all the details of the complaint, like people's names, with the whole Trustee Board, just in case we need to set up a review panel later.

If the Trustee board already knows what the complaint is about before the review panel stage, we will try to get an independent panel to handle it if we can.

If the person making the complaint thinks the process might be biased, they can ask for an independent panel. The Governing Board/Trustee Board will consider this request. They won't say no unless they have a good reason.

## 10. Staff Awareness and Training

**We make sure all staff know about these procedures because many of them will handle concerns or complaints in the informal stage.**

Being able to do this well means having clear information about the procedures, support from senior staff, and some training in dealing with people who are upset or angry. Each school gives this training to its staff. We also share written guidance (Appendix 1) on how to listen to and handle concerns or complaints.

## 11. Learning Lessons

**The Trustee Board will look into any important problems that people raise with the CEO.**

They'll do this while keeping things confidential. They want to consider if there are any changes the Trust can make to its procedures or ways of working to stop the same things from happening again.

## 12. Monitoring Arrangements

**The Trustee Board will check on how well the concerns and complaints procedure works to make sure complaints are dealt with properly. The CEO/Executive team will track how many complaints there are and what they're about, and they'll also consider any bigger problems that come up as part of the 'Learning Lessons' section above.**

Each school in the Trust will keep records of complaints.

This policy will be looked at by the Trustee board at least every 3 years.

At each review, the policy will be approved by Trustee Board.

## Appendix 1 Complaints Procedure Form

If you have tried unsuccessfully to resolve your concern at the informal stage and wish to take the matter to the formal stage (Stage 2), please complete this form and send it to the relevant person (see section 6 of the policy).

Name:	Address:
Pupil's name and date of birth (if regarding a pupil at the school):	
Daytime contact number:	
Evening contact number:	
Email address:	
Please provide details of what your complaint is concerning and what action you would like the school to take?	
Who have you discussed your concern or complaint with at the informal stage?	
Name:	
Date/s:	
What was the outcome of the discussion?	
Signed:	Date:

### Guidance for employees on Listening to Concerns and Complaints

**As soon as you realise you are listening to a concern or complaint, remember the following points:**

- **Take responsibility**  
Try not to transfer an upset person on from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.
- **Don't be flippant**  
First impressions count. You and the school may be judged on your immediate reaction.
- **Treat all concerns and complaints seriously**  
However small or trivial an issue may seem to you, the concern or complaint itself will be an important one for anyone who takes the trouble to complain.
- **Be courteous**  
Be sympathetic and helpful, but do not blame other colleagues.
- **Say who you are**  
If you are unknown to the complainant, introduce yourself.
- **Ask for their name and use it**  
Anonymous concerns or complaints are acceptable only in exceptional circumstances.
- **Take time to identify exactly what the problem is**  
It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
- **Don't take the concern or complaint personally**  
To an upset or angry parent or carer, YOU are the school and the only one they can put their feelings to right now.
- **Stay cool and calm**  
Do not argue with the complainant. Be polite and try to establish exactly what it is he or she believes the issue to be.

- **Check you are being understood**  
Make certain that the parent or carer understands what you are saying. Avoid using jargon- it can cause confusion and annoyance to someone 'not in the know'!
- **Don't rush**  
Take your time. Let the complainant have their say and let off steam if they need to. Listen carefully and sympathetically to their problem before replying and attempting to find a solution or suggesting the next step.
- **Refer to the procedure**  
Inform your line manager/leadership team link of the conversation and next actions required.