



Inspiring Primaries Academy Trust
Inspiring pupils to achieve for their tomorrows

Inspiring Primaries Academy Trust

Policy for Complaints (M12)

The Board of Trustees adopted this policy on 13 May 2020
To be reviewed Summer 2021 or earlier if required.

This policy complies with The Education (Independent School Standards) Regulations 2014 (“the Regulations”), which academies are subject to.

All schools within IPAT are committed to working in close partnership with all members of each school’s community. Our schools aim to be warm and welcoming with positive relationships between all members of each school’s community, striving to provide an outstanding education for all our children, placing great value on the role which parents and carers can play in supporting children’s learning.

Where any concerns are raised we aim to resolve these as quickly and efficiently as possible. Usually concerns that are raised can be resolved very quickly through each school’s day to day communication between parents / carers and school staff. However, for those situations where this is not the case, we have a formal process to investigate and deal with complaints. IPAT’s complaints procedure is detailed on the following pages.

It is in everyone’s interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To this end all staff, governors and trustees are aware of the procedure to be followed if a complaint is raised. Also, whilst not wishing to encourage complaints, complainants should note that they have a duty to raise a matter as soon as conveniently possible, usually within 3 months. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

This policy applies to any matter which has been raised with a school by parents of pupils as a matter of concern but which has not been capable of resolution informally and which the complainant or the school considers should be dealt with on a formal basis. Usually matters relating to admissions and exclusions, statutory SEN assessments, matters involving child protection involvement, will not be considered as they have their own appeal or complaint processes. Whistleblowing and staff grievances and discipline matters will not be considered under this policy.

Where the complaints process has been started (but not completed) whilst parents have had children at the school, but the children have since left, the school should continue to follow this policy. Where complaints have been started by parents of former pupils after they have left the school, albeit about incidents that arose during the pupil’s time at the school, the school may use the shorter complaints procedure (included below).

IPAT operates a four stage complaints procedure outlined below.



Stage 1 – Informal Resolution

An initial concern should be raised with the class teacher or the member of staff concerned. This can be done in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It would be helpful for the complainant to identify at this point what outcome s/he is looking for in order for the school to address their concern quickly and effectively. If a matter is not resolved at this informal stage then the complainant may take it to the formal stage.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the individual school's behaviour code. The Chair of Trustees shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Stage 2 – Formal Resolution at Local Level: Investigation by a Nominated Individual

1. The complainant must put the complaint in writing (using the form provided at Appendix 1) addressed to the Executive Principal / Headteacher of the school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the Executive Principal / Headteacher as appropriate, who may offer the complainant a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied he may request the complaint is dealt with at Stage 3. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10** school days of the complainant receiving the findings in writing.

Any complaint relating to the Executive Principal / Headteacher of the school must be raised in the first instance with the Chief Executive Officer who will, if an informal resolution cannot be reached, forward to the Chair of Trustees to designate a member of a Local Governing Body / Trust Board to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Executive Principal / Headteacher.

Any complaint relating to the Chief Executive Officer of the Trust must be raised in the first instance with the Chair of Trustees who will, if an informal resolution cannot be reached, designate a member of the Trust Board to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Chief Executive Officer.

For complaints against members of the Local Governing Body please note the process to follow set out at the end of this policy.



Stage 3 – Formal Resolution: Local Governing Body

1. The complainant must put the complaint in writing, addressed to the Chair of the Local Governing Body of the relevant school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations. In the case of complaints relating to an Executive Principal / Headteacher or the CEO, the complaint should be addressed to the Chair of Trustees, c/o Inspiring Primaries Academy Trust, Church Lane, Gilmorton, Leicestershire, LE17 5LU.
2. The Chair of the Local Governing Body may appoint a member of the Local Governing Body of the school to investigate the complaint. In the case of complaints relating to an Executive Principal / Headteacher or the CEO, the Chair of Trustees may appoint a member of the Local Governing Body of an alternative Trust school or a Trustee to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied he may request the complaint is dealt with at Stage 4. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within **10** school days of the complainant receiving the findings in writing. The request must be addressed to the Clerk to the Trust Board c/o Inspiring Primaries Academy Trust, Church Lane, Gilmorton, Leicestershire, LE17 5LU

Stage 4 – Formal Resolution: Panel Hearing

1. The complaints panel of IPAT will consider all complaints at Stage 4.
2. The complaints panel must comprise at least three people, which will include one person who is independent of the management and running of the Academy Trust and any of its schools.
3. The complaints panel may also include one or more persons from the following categories:
 - (i) A member of the local governing body of the school where the complaint emanated from;
 - (ii) A member of a local governing body from another school within the Academy Trust;
 - (iii) A member of the board of trustees from the Academy Trust.
4. None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint.
5. The Clerk will invite the Executive Principal / Headteacher of the relevant school (or the CEO for Trust related complaints) to put in writing its response to the complainant's reasons. The Executive Principal / Headteacher or CEO will provide this within 15 school days of receiving the request. At the end of that period (whether or not the school has responded) the Clerk will convene a meeting of the complaints panel. That meeting



- will be held on a Trust school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school, the Executive Principal / Headteacher and/or CEO and the members of the complaints panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation is not recommended.
6. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
 7. The panel may make findings and recommendations and a copy of those findings and recommendations will be:
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on school premises by the Academy Trust, the Executive Principal / Headteacher and the Chief Executive Officer.
 8. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned.

Attendance at a Complaints Panel Hearing

The complaints panel will proceed *irrespective of whether or not* the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will *still proceed in their absence and the process will continue to its conclusion*. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of the Trustees may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the academy trust will not respond to any further correspondence on this issue or a closely related issue. Additionally, those complainants who regularly complain and act disruptively but don't engage with the complaints procedure will be classed as 'persistent complainants'.

Complaint against a member of a Local Governing Body / Chair of a Local Governing Body

Where a complaint is brought against a member of the Local Governing Body, the Chair of the Local Governing Body will investigate the complaint (or appoint another member of the local governing body to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

If the complaint is against the Chair of the Local Governing Body, then the Vice Chair of the Local Governing Body will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.



If the complaint is against a member of the Board of Trustees, then the Chair of Trustees, (or in the case of a complaint against the Chair, the Vice Chair) will investigate the complaint (or appoint another trustee to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

In exceptional circumstances the Chair of Trustees may at his or her absolute discretion determine that a complaint against an Executive Principal, Headteacher, the Chief Executive Officer or a member of a Local Governing Body should be dealt with at board level and if so determined the Chair of Trustees will oversee **Stage 3**.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint at any time, they will be asked to confirm this in writing.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the school or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at: <https://form.education.gov.uk> or you may write to the Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

The ESFA will usually only consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
2. Where the academy is in breach of its funding agreement with the Secretary of State.
3. Where an academy has failed to comply with any other legal obligation.

The ESFA will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly they will request the complaint is looked at again.

Complaints Relating to Fulfilment of the EYFS Requirements



In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 days;
- The Executive Principal / Headteacher will investigate the concern or complaint which may include meeting with the complainant and the Leader of Early Years. A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the complainant remains dissatisfied, the Executive Principal / Headteacher will ensure that a formal complaints panel will be convened in accordance with stage 4 of this policy.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request. Parents are further advised that concerns regarding the school meeting EYFS requirements they may contact Ofsted on 0300 123 4666.

Shorter Complaints Procedure

Complaints raised by anyone other than parents of pupils at IPAT schools will be dealt with as follows:

Complainants should first attempt to address their complaint to the school or the Academy Trust (as appropriate) informally. Only if this fails to resolve the situation should the complaint be submitted in writing to the Executive Principal / Headteacher, Chair of the Local Governing Body if the complaint is about the school in general; or to the Chief Executive Officer if the complaint is about the Executive Principal / Headteacher specifically; or to the Chair of Trustees if the complaint is about the Chief Executive Officer specifically. The roles referred to will acknowledge receipt of the complaint before considering it and issuing a final written response.



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APPENDIX 1
Complaint Form for Inspiring Primaries Academy Trust

School name:	
Your name:	
Pupil's name:	
Your relationship to pupil:	
Address:	
Post Code:	Daytime tel:
Mobile:	E-mail:
Please give concise details of your complaint:	



What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to, when and what was the response?):

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signed:

Date:

Official Use:

Complaint referred to:

Date acknowledgement sent:

Date:

By who:

APPENDIX 2

Roles and Responsibilities

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 school / academy trust 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.

Nominated Individual

The nominated individual's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information



- liaising with the complainant as appropriate to clarify what the complainant feels would put things right

The nominated individual should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report that sets out the facts, identifies solutions and recommends courses of action to resolve problems
- communicate the decision to all parties and provide the complainant of appropriate escalation details.

Clerk to the Committee

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint 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
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint panel meeting, should ensure that:

- 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, if all parties are invited to attend, 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
- 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.
- if a new issue arises, it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school / Academy Trust 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

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no one 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 school or Academy Trust 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. Committee chair and members should:

- understand many complainants will feel nervous and inhibited in a formal setting
- understand parents/carers often feel emotional when discussing an issue that affects their child
- provide extra care when the complainant is a child who will be present during all or part of the meeting
- give careful consideration of the atmosphere and proceedings to ensure that the child does not feel intimidated
- respect the views of the child and give them equal consideration to those of adults
- if the child is the complainant, ask in advance if any support is needed to help them present their complaint
- where the child's parent/carer is the complainant, give the parent/carer the opportunity to say which parts of the meeting, if any, the child needs to attend; also advise agreement might not always be possible if the parent/carer wishes the child to attend a part of the meeting that the committee considers is not in the child's best interests
- ultimately, the welfare of the child is paramount.