

## **1. Overview**

1.1. Our complaints procedure is based on the premise that concerns expressed by a pupil, parent, carer or any individual or organisation with a concern should be resolved as quickly as possible without the need to escalate to the increasing more formal stages of the procedure. However, where resolution is not achieved quickly and the person raising the complaint remains dissatisfied and wishes to take the matter further, the formal procedure will be invoked.

1.1.1. Stage 1 – Informal resolution to concern.

1.1.2. Stage 2 – Formal complaint heard by a member of staff.

1.1.3. Stage 3 – Formal complaint heard by the Headteacher.

1.1.4. Stage 4 – Formal complaint heard by the Chief Executive & Academy Headteacher

1.1.5. Stage 4 – Complaint heard by Governing Body Appeal Panel.

1.1.6. External Stage - Handling of complaint referred to the Education Funding Agency (EFA).

## **2 Introduction**

2.1 Within Oak Trees Academy Trust we aim to make all decisions which affect parents and the local community in a fair and transparent way. Where any stakeholder feels that this is not the case, we have a robust procedure through which any complaint can be considered and resolved. Complaints are a key part of a constructive process that allows schools to improve and, as such, it is crucial that there is a process to handle them fairly and respectfully.

2.2 This policy details the complaints procedure for all parents/carers of Trust pupils, members of each school's local community, ex-pupils and any third party who has concerns about the school. Members of Trust staff should consult the Whistle Blowing/Grievance Policy and will not be considered in this document.

2.3 Throughout this policy the term 'working days' shall refer to weekdays during term-time (including INSET days).

## **3 Aims of this Policy**

The aims of this policy are:

- i. to provide clear guidelines for individuals wishing to make a complaint, as to how a complaint may be lodged and to whom;
- ii. to clarify to the individual making a complaint how and when the Trust will respond;
- iii. to advise individuals who have complaints about issues that are out of the Trust's control how and to whom they can register their complaint;
- iv. by doing the above, encourage a process of constructive criticism with the ultimate aim of improving practice within the school; and
- v. to provide clarity and support to members of staff about how to deal with complaints.

## **4 The Complaints Process**

### **4.1 Stage 1: Registering an informal complaint**

The Trust encourages informal resolution of complaints wherever possible. Any individual wishing to make a complaint should therefore do so in person, by phone or in writing to an appropriate member of Trust staff for the nature of the complaint. For a parent this is often the child's teacher. Any individual who is unsure with whom it is appropriate to discuss a complaint should speak to a member of front office staff at the relevant school.

### **4.2 Stage 1: How the school will respond**

Once a complaint has been received by an appropriate member of staff, he/she shall discuss the issue informally with the individual making the complaint and try to resolve the issue directly. If the complaint cannot be resolved, either because the member of staff does not feel able to do so or because complainant is not satisfied, the complaints process will move to stage 2 (see 4.3).

#### 4.3 Stage 2: Registering a formal complaint

Except when a complaint is judged by the CEO or head teacher to be particularly serious, a formal complaint will not be accepted unless an informal complaint has been already been registered. A formal complaint should be made to the school's Head Teacher in writing, in person (by appointment) or by telephone. The complainant should make it clear that they are making a formal complaint. On receipt of a complaint, a log will be opened and all subsequent meetings and communications with the complainant will be logged.

#### 4.4 Stage 2: How the school will respond

The Head Teacher will respond to the complaint within 48 hours. During school holidays this timescale may not be possible but the response will not be unreasonably delayed. Depending on the nature of the complaint this response may address the issue directly or may acknowledge receipt of the formal complaint and request more time to consider/investigate the matter. The amount of time requested for any further consideration by the Head Teacher shall not be more than five days unless there are exceptional circumstances. If the Head Teacher feels that it is appropriate, or because the complainant is not satisfied with the outcome of stage 2, the complaints process will move to stage 3.

#### 4.5 Stage 3: Mediation

If the complainant is not satisfied with the outcome of stage 2, the process will move to the mediation stage. The complainant will be invited to meet with the CEO or a Trust head teacher who will contact the complainant within two working days and arrange to meet within five days. The purpose of this meeting is to allow the complainant to outline the complaint to a person who is not involved in the issue. The mediator will talk to all parties involved and then meet the complainant to try to find a reasonable solution to the complaint.

#### 4.6 Stage 3: How the mediator will respond

Following the meeting, the mediator will write to the complainant with a summary of any agreed actions or decisions. The mediator will ensure that all agreements are communicated to the relevant members of staff. The mediator will follow up the situation at a later date agreed by both parties, either by 'phone, email or in a meeting.

#### 4.7 Stage 4: Appeal to the Board of Trustees

A complaint can usually only progress to stage 4, after passing through stages 1, 2 and 3 as detailed above. However, in exceptional circumstances, e.g. if a serious complaint is made against a Head Teacher, it may be appropriate for a complaint to be elevated to the Board of Trustees without having progressed through the earlier stages of the complaints process. If a complainant wishes to elevate his/her complaint to the Chair of the Board, a request in writing to do so should be given to the Clerk to the Trust (contactable via the front office of any Trust academy) within 5 working days of receipt of the mediator's response to the complaint.

#### 4.8 Stage 4: How the Chair of Trustees will respond

The clerk shall acknowledge receipt of the request within 5 working days. The Chair of Trustees shall, at that point, convene a panel to hear the complaint. In doing so, The Chair of Trustees shall ensure that:

- i. the individual making the complaint is invited to attend the hearing at least 5 days before the date of the hearing;
- ii. it is made clear to the individual making the complaint that s/he may be accompanied at the hearing by one other individual if they wish; and
- iii. that one member of the panel is independent from the management and running of the school.

The panel's judgement is the ultimate decision that can be obtained within the Trust structure.

### **5 Referral to the EFA**

4.1 If the complainant is not satisfied with the Trust's final response, he/she may make a complaint to the Education Funding Agency (EFA) Please visit: [www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school](http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school) for more information.

4.2 Please note that the EFA will not usually consider complaints unless the complainant has attempted to resolve the issue with the school directly.

### **5 Complaints that are Handled Externally**

5.1 Some complaints either cannot be dealt with by the Trust (because the Trust is not the ultimate decision-making authority) and/or should be directed to the EFA. The following are examples of complaints that are handled externally:

- Complaints about the content of the school curriculum. Complainants should address their complaints to the DfE.
- Complaints about admissions into an academy's Reception year group. Complainants should address their complaints to the Local Authority in which the school subject to the complaint is situated.

- When the Trust is not complying with its own Complaints Policy. Complainants should address their complaints to the EFA.
- When any of the Trust's academies is in breach of its funding agreement with the Secretary of State. Complainants should address their complaints to the EFA.

5.2 More information about serious complaints relating to the overall running of the school can be found in the Trust's Whistleblowing Policy which can be found on the Oak Trees website

## **6 Monitoring and Review**

6.1 The Complaints Policy shall be reviewed by the Board of Trustees every three years, following any major procedural change or following any serious incident that requires action.

**Oak Trees Multi Academy Trust**

**Trust Complaint Form (for Stage 3 complaints)**

If you have tried unsuccessfully to resolve your complaint with your child's school and wish to take the matter further, please complete this form and send it to the Headteacher. {If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Body}

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Tel no (Home) \_\_\_\_\_

(Day) \_\_\_\_\_

Name of Child \_\_\_\_\_

Date of Birth of Child \_\_\_\_\_

What is your complaint about and what would you like the Headteacher to do?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(continue on a separate sheet, if necessary).

When did you discuss your concern/complaint with the appropriate member of staff?

\_\_\_\_\_

What was the result of the discussion?

\_\_\_\_\_

\_\_\_\_\_

(Continue on a separate sheet, if necessary).

Signed \_\_\_\_\_ Date \_\_\_\_\_