

Complaints Policy

2022-23



Pride
Passion
Partnership
Professionalism
Positivity

Introduction

This policy meets the requirement to have a policy about complaints at a school. It is a generic policy across The Bridge MAT. As such, this policy will apply to most general complaints The Bridge MAT is likely to receive from parents or any other party against the Trust or individual school.

This policy DOES NOT cover complaints relating to the aspects of school life for which there are specific statutory requirements. In particular, it DOES NOT cover:

- Arrangements under s409 of the Education Act 1996 for complaints about the delivery of the National Curriculum and the provision of collective worship and religious education,
- The LA's decision about special needs assessments
- Concerns about schools admissions and exclusions
- Allegations of child abuse, financial improprieties and other criminal activities and complaints about contracted staff complaints about general matters of policy

General Principles

As part of the general home/school policy, parents and pupils are encouraged to express their views on the provision within schools, so that staff can receive an early warning of potential difficulties, and hence many problems can be prevented from arising.

Publicity

Parents and other relevant persons should always know how they can raise concerns or lodge a formal complaint. The Bridge London Trust will ensure that a copy of this complaints policy is available on the Trust website. The Trust will also produce a leaflet which will be distributed at regular intervals. The leaflet will explain how problems are dealt with and how the complaints procedure works.

If someone contacts the Local Authority with their concerns when the Trust's internal procedures have not been fully exhausted, they should be referred back to the school.

Time Limits

Procedures should be as speedy as possible whilst being fair to all parties concerned. Each stage of the procedure will have known time limits. Where it is not possible to meet these, information about progress must be given to the complainant. Care will always be taken not to drag things out with unnecessary bureaucracy.

Support for complainant

The Trust recognises that it is important for people to know where they can go for information, advice and advocacy, if they require it. Where possible, support will be offered from individuals and organisations that are clearly separate from those complained against, such as Parent's Advice Centres, Citizens Advice Bureaux, Community Relations Councils, refugee support organisations and other local advice centres. Useful support may come from individual Directors or governors or LA officers (e.g.; specially designated complaints officer, Education Welfare Officer, Parent Partnership Officer), providing they are able to remain apart from any later stages in the procedure where they might otherwise be called upon to make a judgement on a complainant's disagreement with the Trust or school. People raising concerns or complaints will be invited to be accompanied by a friend, a relative or a representative at any stage of the procedure.

Support for the person complained against

Someone who may be questioned as part of a complaints procedure investigation must feel they are being treated in a fair way and that they too will have the opportunity to put their case. They will be told about the procedure and be kept informed of progress. It is acknowledged that there is a crucial balance between supporting the individual so that his/her rights and reputation are protected, and investigating a complaint thoroughly and impartially.

This complaints procedure is distinct from formal disciplinary proceedings for staff and this will be made clear to all concerned. There may be occasions where a complaint triggers a disciplinary procedure, which puts the complaints procedure on hold. If so, the complainant will be informed of this, and any non-disciplinary aspects of the complaint will be dealt with by the usual complaints procedures. The complainant will be up-dated every three weeks on the likely further delay.

It may be clear after the disciplinary procedures have been completed, that particular responses to the complainant are required (e.g. an apology or an explanation of new policies to avoid a similar problem again), in which case the appropriate action will be taken.

Confidentiality

Conversations and correspondence shall be treated with discretion in particular so that people feel confident that their complaint will not penalise their child. However, from the outset, all parties to a complaint will be made aware that some information may have to be shared with others involved in the operation of the complaints procedure.

It is at the Chief Executive's, or Director's discretion to decide whether the gravity of an anonymous complaint warrants an investigation, taking into account the gravity of the matter.

Response

All complaints will be taken seriously and local resolution will be sought wherever possible.

Staff awareness and training

School staff, including non-teaching staff, will be made familiar with the procedures so that they can advise others about their operation. Potentially, a great many staff are involved in handling complaints, especially at the informal level. Their confidence in doing so depends on their having clear information about the procedures, reassurances that senior staff are committed to the procedures and some basic training in the practical interpersonal skills needed in dealing with people who are angry and upset. All school staff will have clear information about which staff have which responsibilities at school so that parents do not get continually passed from one to another.

Record keeping

If complaints are to contribute to raising the quality of education, then they need to be recorded and monitored termly by senior staff and governors. Recording should begin at the point when a concern or initial complaint has become the kind of complaint that cannot be resolved on the spot, but needs investigation and/or consultation with others in the school, and will require a later report back (either orally or in writing) to the parent.

Recording at the earliest stages need only be a very basic record of the complaint, giving the date, name of parent and the general nature of the complaint.

Stage One

The First Contact Guidelines for Dealing with Concerns and Complaints Informally

Introduction

The vast majority of concerns and complaints can be resolved informally. There are many occasions when concerns are resolved straight away through the class teacher, Headteacher or Chief Executive, depending on whom the parent first approached.

People must feel able to raise concerns with members of staff without formality, either in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of another person.

At first it may be unclear whether a person is asking a question or expressing an opinion rather than making a complaint. A person may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

Procedure

1. People have the opportunity for discussion of their concern with the appropriate member of staff who clarifies with the parent the nature of the concern, and reassures them that the school wants to hear about it. The member of staff may explain to the person how the situation happened. It can be helpful to identify at this point what sort of outcome the individual is looking for.
2. If the member of staff first contacted cannot immediately deal with the matter, s/he makes a clear note of the date, name, contact address and telephone number.
3. Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been successful.
4. The Headteacher and Chief Executive need to be informed at this stage and they may decide to deal with the person expressing concerns from this time on.
5. If the concern relates to the Chief Executive, the person is advised to contact the Chair of Directors.
6. The staff member dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems the best way of making things clear.
7. When no satisfactory solution has been found within 10 working days, parents will be asked if they wish their concern to be considered further. If so, they will be given clear information, both orally and in writing, about how to proceed and about any independent advice available to them.

Stage Two

Referral to The Headteacher For Investigation

Introduction

At this stage it has become clear that the concern is a definite complaint. It is helpful for the Headteacher, CEO (or the person delegated to investigate) to use guidelines to ensure consistency among cases and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.

The Chief Executive has the responsibility for the implementation of a complaints system including the decisions about their own involvement at the various stages. One of the reasons for having various stages in a complaints procedure is to reassure complainants that their grievance is being heard by more than one person. The Chief Executive will make arrangements to ensure that their involvement will not predominate at every stage of a particular complaint.

Procedure

1. The Headteacher, CEO (or designate) acknowledges the complaint orally or in writing within 3 working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaint procedure and a target date for providing a response to the complaint. This should normally be within 10 working days; if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.
2. The Headteacher/ CEO (or designate) may provide an opportunity for the complainant to meet him/her to supplement any information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his or her behalf, and that interpreting facilities are available if necessary.
3. If necessary, the Headteacher/ CEO (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should be interviewed with parents/carers present. If a member of staff is complained against, the needs of that person should be borne in mind (see paragraph labelled 'Support for a Person complained against')
4. The Headteacher/ CEO (or designate) keeps written records of meetings, telephone conversations and other documentation.
5. Once all the relevant facts have been established, The Headteacher/ CEO or designate should produce a written response to the complainant, and may wish to meet the complainant to discuss/resolve the matter directly.
6. A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the school/ Trust will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further, s/he should notify the Chief Executive or Chair of Directors within 2 weeks of receiving the outcome letter.
7. If the complaint is against the action of the Chief Executive the Directors will nominate a Director or governor who should carry out all the Stage 2 procedures.
8. If the complaint is not resolved, then the Chair of Director's nominated person, Chief Executive and Complainant will liaise to try to resolve the complaint before going to Stage 3 procedures.

Stage Three

Review by The Board of Directors

Introduction

Complaints only rarely reach this stage but the Board of Directors needs to be prepared to deal with them when necessary. Individual complaints should not be considered by the governing body or Board of Directors, as serious conflicts of interest might arise, especially when a complaint might result in disciplinary action against a member of staff.

Many complaints are inevitably seen as being 'against' a particular member of staff and their actions. However, all complaints which reach this stage will have done so because the complainant has not been satisfied by the response at the earlier stages in the procedure, and it may be appropriate for the Directors to consider that the complaint is against the school rather than against the member of staff whose actions led to the original complaint.

Procedure

1. Upon receipt of a written request by the complainant, for the complaint to proceed to Stage 3, the procedures outlined below should be followed.
2. The Clerk to the Board of Directors should write to the complainant to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint and explain that it is to be heard by 2/3 members of Directors/ governors within 20 working days of receiving the complaint. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received one week ahead of the meeting.
3. The Clerk to the Board of Directors should arrange to convene a Complaints Panel elected from Directors/governors.
4. The panel members should have had no prior involvement with the complaint. Generally it is not appropriate for the Chief Executive to have a place on the Panel. Directors/governors will want to bear in mind the advantages of having a parent (who is also a governor) on the Panel. Governors will also want to be sensitive to the issues of race, gender and religious affiliation.
5. The clerk will ensure that the complaint is heard by the Panel within 20 working days of receiving the letter. All relevant correspondence regarding the complaint should be given to each Panel member as soon as the composition of the Panel is confirmed. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for sending to panel members.
6. The clerk will write and inform the complainant, Chief Executive and any relevant witnesses, and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter should also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.
7. The Chair of the panel should invite the Headteacher/Line Manager/ Chief Executive to attend the Panel meeting and prepare a written report for the Panel in response to the complaint. They may also invite members of staff directly involved in matters raised by the complainant, to respond in writing or in person to the complainant. Any relevant documents should be received by all concerned - including the complainant - at least 5 working days prior to the meeting.

8. The involvement of staff other than the Headteacher/Line Manager/Chief Executive is subject to the discretion of the Chair of the Panel.
9. It is the responsibility of the Chair of the Panel to ensure the meeting is properly minuted.
10. The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant. However it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.
11. The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. It is therefore recommended that the Chair of the Panel ensures that proceedings are as informal as possible.
12. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
13. The meeting should allow for (1) the complainant to explain their complaint and the school/ Trust representative to explain the school's/ Trust's response. (2) The school/ Trust representative to question the complainant about the complaint and the complainant to question the school/ Trust representative and other members of staff about the school's response. (3) Panel members to have the opportunity to question both the complainant and the school/Trust representative (4) Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses (5) Final statements by both the complainant and the school/Trust representative.
14. The chair of the Panel will explain to the complainant and the school/Trust representative that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 working days. The complainant, The school/Trust representative, other members of staff and witnesses will then leave.
15. The panel will then consider the complaint and all the evidence presented and (a) reach a unanimous or at least a majority decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the school's/ Trust's systems or procedures to ensure that problems of a similar nature do not happen again.
16. A written statement outlining the decision of the panel must be sent to the complainant and the Chief Executive. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.
17. The school/Trust should ensure that a copy of all correspondence and notes are kept on file in the school's/Trust's records. These records should be kept separately from the pupil's personal records.

Stage Four

The Secretary of State

Complaints can be taken to the Secretary of State for Education under section 496 of the Education Act 1996, on the grounds that a Board of Directors is acting or proposing to act unreasonably, or under Section 497 of the same Act on the grounds that the Board of Directors failed to discharge its duties under the Act. The Secretary of State may contact the Board of Directors for more information in order to consider the complaint.

Policy Owner and Contact Details

Dr. Penny Barratt, CEO

For further information on the Policy, please contact via email
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Next Review Date: September 2023