

Complaints Policy



Pride
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Positivity

Name of Document	Complaints Policy
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Policy Approver	Penny Barratt, Chief Executive
Policy Owner	Penny Barratt, Chief Executive
Policy Author	Matt Lake, Trust Governance Professional
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Please note that all Trust policies are reviewed annually. Should you have any queries regards this policy, note an omission or wish to propose an amendment, please email mattheweldon.lake@thebridgetrust.academy

1.0 Introduction

- 1.1 This is a generic policy for the whole of The Bridge Trust and meets the requirement to have a Complaints Policy in place at each of the schools within the Trust. As such, this policy will apply to most general complaints likely to be received from parents or any other party against the Trust or an individual school.
- 1.2 This policy DOES NOT cover complaint relating to the aspects of school life for which there are specific statutory requirements. In particular, this policy DOES NOT cover:
- Arrangements under s409 of the Education Act 2009 for complaints about the delivery of the National Curriculum and the provision of collective worship and religious education;
 - The relevant local authority's decision about special needs assessments;
 - Concerns about school admissions and exclusions;
 - Allegations of child abuse, financial improprieties and other criminal activities and complaints about contracted staff or general matters of policy.
- 1.3 **If a complainant wishes to submit a complaint relating to The Bridge School, they are requested to contact the Trust's Governance Professional, Matt Lake, by email at mattheweldon.lake@thebridgetrust.academy, to request a policy addendum specific to The Bridge School.**

2.0 General Principles

- 2.1 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 be alerted to any potential difficulties and seek to address these at an early stage.

3.0 Publicity

- 3.1 Parents and other relevant persons should always know how they can raise concerns or lodge a formal complaint. The Bridge 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 to explain how problems are dealt with and how the complaints procedure operates.
- 3.2 If an individual contacts their relevant local authority with any concerns within the remit of this policy, it is expected that they be referred back to the Trust to follow the procedures laid out in this policy.

4.0 Time Limits

- 4.1 Procedures should be as swift as possible whilst also being fair to all parties concerned with each stage of the process having specified time limits. Where it is not possible to meet these time limits, information about progress must be provided to the complainant. Care will always be taken not to drag things out with unnecessary bureaucracy.

5.0 Support for Complainant

- 5.1 The Trust recognises that it is important for people to know where they can access information, advice and advocacy if required. Where possible, support will be offered from individuals and organisations that are clearly separate from those against whom a complaint has been raised, such as Parents' Advice Centres, Citizens Advice Bureau, Community Relations Councils, refugee support organisations and other local advice centres. Individuals raising concerns or complaints will be invited to be accompanied by a friend, a relative or a representative at any formal stage of the complaints procedure.

6.0 Support for Individuals as Subject of Complaint

- 6.1 An individual who may be questioned as part of a complaints procedure investigation must be treated fairly and be provided with the opportunity to respond in their own words to any complaint raised against them or their actions. They will be informed of the procedure being followed and of progress with this. It is acknowledged that there is a crucial balance between supporting the individual so that their rights and reputation are protected, and investigating a complaint thoroughly and impartially.

6.2 The Complaints Policy and the procedure for responding to complaints is distinct from formal disciplinary proceedings and this will be made clear to all concerned although there may be occasions where a complaint triggers a disciplinary procedure. In such cases, the complaints procedure will be placed on hold and the complainant informed whilst any non-disciplinary aspects of the complaint will continue to be dealt with by the usual complaints procedures. The complainant will be updated at least every three weeks on any likely further delay.

6.3 It may be clear after the disciplinary procedures have been completed, that particular responses to the complainant are required, such as an apology or an explanation of new policies or procedures to be implemented to avoid a repetition of the concern that gave rise to a complaint. In such cases, the appropriate action will be taken.

7.0 Confidentiality

7.1 Conversations and correspondence shall be treated with discretion to ensure that individuals 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.

7.2 It is at the discretion of the Chief Executive (or the Chair of Directors) to decide whether an anonymous complaint is of sufficient seriousness to warrant investigation.

8.0 Response

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

9.0 Staff Awareness and Training

9.1 All Trust staff will be made familiar with the complaints procedures so that they can accurately advise others about their operation, especially at the informal stage. This will include provision of clear information on which staff hold which responsibilities in each school to ensure consistent and accurate information is provided to complainants.

10.0 Record Keeping

10.1 If complaints are to contribute to improving the quality of education delivered across the Trust, they need to be recorded and monitored on a termly basis by senior staff, local governors and Trust Directors.

10.2 Records of all complaints should begin at the point when it has not been possible for a concern or complaint to be immediately resolved and an investigation and/or consultation with others leading to the need to provide an oral or written response.

10.3 Initial records should include a basic record of the complaint recording the date on which the complaint was raised, the name and contact details of the complainant and a general description of the complaint.

Complaints Procedure: Stage One

The First Contact Guidelines for Dealing with Concerns and Complaints Informally

11.0 Introduction

- 11.1 The vast majority of concerns and complaints can be resolved informally with many resolved at the point of a concern being raised with a class teacher, Headteacher or the Chief Executive.
- 11.2 Individuals must feel able to raise concerns with staff members without undue formality in person, by phone or in writing whilst noting that, on occasion, it may be appropriate for someone to act on behalf of another person.
- 11.3 It may be initially unclear whether a person is asking a question or expressing an opinion rather than raising a complaint. A person may want a preliminary discussion about an issue to help them decide whether they wish to raise a complaint.

12.0 Procedure (Stage One)

- 12.1 The procedure for this stage of the complaints procedure is as follows:
- a) People have the opportunity to discuss their concerns with the appropriate member of staff who will clarify the nature of their concern and provide reassurance of wanting to hear about this. The staff member may provide an explanation of how a situation or circumstance had occurred and it can be helpful to identify the nature of the outcome that is being sought or expected;
 - b) If the staff member first contacted cannot immediately deal with the matter raised, they must make a clear record of the date of the concern being raised and the name and contact details of the individual;
 - c) If necessary, the staff member will refer to the individual with responsibility for the area in which the concern has been raised and will ensure that that the referral has been successful.
 - d) The Headteacher and Chief Executive should be informed of the concern at this stage and may decide to respond directly to the person raising concerns from this point;
 - e) If the concern raised relates to the Chief Executive, the person will be advised to contact the Trust's Chair of Directors by email via the Trust's Governance Professional at mattheweldon.lake@thebridgetrust.academy;
 - f) The staff member dealing with the concern must ensure that the individual raising the concern is clear what action or monitoring, if any, has been agreed;
 - g) When no satisfactory resolution has been found to the concerns raised within 10 working days, the individual raising the concern will be asked whether they wish their concern to be considered further. If so, they will be provided with clear information, both orally and in writing, about how to proceed and about any independent advice available to them.

Complaints Procedure: Stage Two

Referral to The Headteacher For Investigation

13.0 Procedure (Stage Two)

13.1 At this stage, any concern raised is registered as a complaint and the procedure for this stage of the complaints procedure is as follows.

- a) The Headteacher, Chief Executive or designate acknowledge the complaint in writing within 3 working days of its receipt. This must include a brief explanation of the complaints procedure and a target date for providing a response to the complainant which should ordinarily be no longer than 10 days from the date of the acknowledgement. If it is not possible to meet this deadline, the complainant must be informed of this in writing including an explanation for the delay and providing a revised response date;
- b) The Headteacher, Chief Executive or designate may provide an opportunity for the complainant to meet with them to supplement information initially provided. Any meeting invitation must state that the complainant may be accompanied by a friend, relative or representative who may speak on their behalf and that interpreting facilities will be provided if necessary;
- c) If necessary, the Headteacher, Chief Executive or designate should interview witnesses and take statements from those concerned. If the complaint centres around a pupil, the pupil should be interviewed in the presence of parents or carers. If a staff member is the focus of a complaint, the needs of the individual concerned should be borne in mind (see paragraph 6 above);
- d) The Headteacher, Chief Executive or designate must keep written records of all meetings, telephone conversations and relevant documentation;
- e) Once the relevant facts have been established, the Headteacher, Chief Executive or designate must provide a written response to the complainant and may wish to meet with the complainant to discuss, and seek to resolve, the matter directly;
- f) The written response should include a full explanation of the response, the reasons for it and, where appropriate, what action the school/Trust will take to resolve the complaint. The complainant must be advised that should they wish to take the complaint further, they should notify the Trust's Governance Professional within 2 weeks of receiving the outcome letter by email to matthewweldon.lake@thebridgetrust.academy;
- g) If the complaint is against the Chief Executive, the Trust's Directors will nominate a Director to undertake the procedures within Stage Two of the complaints procedure;
- h) If the complaint remains unresolved after the provision of the written response, the Trust's Chair of Directors (or their nominee), the Chief Executive and the complainant will liaise to try to resolve the complaint before proceeding to Stage 3 of the complaints procedure.

Complaints Procedure: Stage Three

Review by The Trust's Board of Directors

14.0 Introduction

- 14.1 Complaints only rarely reach this stage and those seen as being 'against' an individual member of staff should not be considered by the Trust's Board of Directors. This is to avoid any conflicts of interest that could arise should a complaint result in the commencement of disciplinary action.
- 14.2 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 earlier stages in the procedure, and it may be appropriate for Trust Directors to consider that the complaint is against the school rather than against the member of staff whose actions led to the original complaint.

15.0 Procedure (Stage Three)

- 15.1 The procedure for this stage of the complaints procedure, following receipt of a written request from the complainant to proceed to Stage 3, is as follows:
- a) The Trust's Governance Professional will write to the complainant to acknowledge receipt of the written request and to inform the complainant that their complaint will be heard by a panel of 2-3 Trust Directors within 20 working days of receiving the request to proceed to Stage 3. This should also explain their right to submit any additional relevant documents which must be received at least a week in advance of the meeting with the panel;
 - b) The Trust's Governance Professional will convene a Complaints Panel from current Trust Directors;
 - c) Panel members must have had no prior involvement with the complaint and generally it is not appropriate for the Chief Executive to be a member of a Complaints Panel. Due consideration should be given when identifying members of a Complaints Panel to the inclusion of a parent of a pupil attending the same school as that which is subject to a complaint as well as being sensitive to diversity including race, gender and religious affiliation;
 - d) The Trust's Governance Professional will ensure that the complaint is heard by the Complaints Panel within 20 working days of receipt of the request to proceed to Stage 3. All relevant documentation and correspondence related to the complaint should be provided to each Complaints Panel member as soon as the composition of the Panel has been confirmed;
 - e) Once the membership of the Complaints Panel is confirmed, the members of the panel should appoint a Chair from among their number. If the documentation related to the complaint is extensive, the Panel Chair should prepare a thorough summary for the benefit of the panel members;
 - f) The Trust's Governance Professional will inform in writing the complainant, the Chief Executive, all relevant witnesses and panel members of the date, time and venue of the Complaints Panel hearing. This must include an explanation of how the hearing will be conducted, the complainant's right to submit further written information and the complainant's right to be accompanied by a friend, advocate, representative and/or interpreter;
 - g) The Chair of the Complaints Panel should invite the Headteacher, Chief Executive or other relevant line manager to attend the hearing and prepare a written report for the panel in response to the complaint. The Chair may also invite members of staff directly relevant to the complaint 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 hearing;

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- h) The involvement of staff other than the Headteacher, Chief Executive or other line manager is subject to the discretion of the Chair of the Panel;
 - i) It is the responsibility of the Chair of the Panel to ensure that the hearing is properly minuted;
 - j) The aim of the hearing should be to resolve the complaint and achieve a reconciliation between between the parties. 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 their complaint has at least been taken seriously;
 - k) The Complaints 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 Complaints Panel. It is, therefore, recommended that the Chair of the Panel ensures that proceedings are as informal as possible;
 - l) 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 party has time to consider and respond to the new evidence;
 - m) The hearing should allow for:
 - i) The complainant to explain their complaint and the school/Trust's representative to explain their response;
 - ii) The school/Trust representative to question the complainant about the complaint and the complainant to question the school/Trust's representative about their response;
 - iii) Panel members to have the opportunity to question both the complainant and the school/Trust representative;
 - iv) 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;
 - v) Final statements by both the complainant and the school/Trust representative.
 - j) At the conclusion of the presentation of evidence and questioning, the Chair of the Panel will explain to the complainant and the school/Trust representative that the Panel will consider its decision with a written decision sent to both parties within 10 working days. The complainant, the school/Trust representative and any other members of staff or witnesses will then leave the hearing;
 - k) The Complaints Panel will consider the complaint and all of the evidence presented and reach a unanimous or majority decision on whether or not to uphold the complaint. If appropriate, the Complaints Panel will also decide on appropriate action to take to resolve the complaint and/or any recommended changes in policies and procedures to ensure that problems of a similar nature do not reoccur;
 - l) A written statement outlining the decision of the Complaints Panel must be sent to the complainant and the Headteacher and Chief Executive including an explanation of whether a further appeal can be made and, if so, to whom;
 - m) The school and Trust should ensure that a copy of all correspondence and notes related to the complaint are kept on file in the school and Trust's records. These should be kept separately from any and all pupil personal records.

Complaints Procedure: Stage Four

The Secretary of State

- 16.0 Complaints can be taken to the Secretary of State for Education under section 496 of the Education Act 1996, on the grounds that a Trust Board of Directors is acting or is 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 Trust 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
penny.barratt@thebridgetrust.academy or phone 020 7619 1000

Next Review Date: September 2024