

# **BAYLIS COURT TRUST**

## **COMPLAINTS POLICY**

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**Approved by: Executive Headteacher**

*Deborah Ajoie*

## Introduction

This policy covers complaints raised by parents concerning their children and Schools within Baylis Court Trust. The majority of issues raised by parents, the community and/or pupils, are concerns rather than complaints. Baylis Court Trust is committed to taking concerns seriously, at the earliest stage.

The prime aim of this policy is to resolve the complaint as fairly and speedily as possible. Every attempt will be made to solve the problem informally at the earliest stage. However, depending on the nature of the complaint, parents may wish or be asked to follow the school's formal complaints procedure. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school and other bodies as appropriate.

The Complaints Policy has three main stages:

- Stage 1 – A concern is raised informally with a staff member.
- Stage 2 – Formal complaint is heard by Headteacher (or Chair of Governors for the Headteacher)
- Stage 3 – Appeal to Governing Body's Complaints Appeal Panel.

## Overview

1. Upon conversion to academy status, schools become subject to the Education (Independent School Standards) (England) Regulations 2010 (subsequently amended in 2012) ("the 2010 Regulations"). Ofsted will look for evidence of compliance with the 2010 Regulations during an inspection.

The 2010 Regulations set out different requirements for the complaints process compared with maintained schools. Part 7 of the 2010 Regulations governs the way in which complaints are handled, and basically provides that academies must have a Complaints Policy.

2. Certain forms of complaint e.g. staff grievance or disciplinary procedures fall outside the scope of these general complaints procedures.
3. The process set out in this procedure concludes with the Governor's Complaints Appeal Panel hearing. A complaint may, however, be made to the Secretary of State for Education (DfE) if a person believes that a Governing Body or Local Authority is acting 'unreasonably', or is failing to carry out its statutory duties properly. Such complaints should be addressed to: DfE, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

## Informal Stage 1 – Raising a concern

- a) Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern;
- b) Parents should make their first contact with the appropriate person, e.g.
  - i. *for pastoral matters - the Form Tutor or Head of Learning*
  - ii. *classroom issues –subject teacher*
  - iii. *curriculum matters - Head of Department in person, by telephone or in writing*
- c) Staff will listen to parents' concerns; this may require investigation, or discussion with others, in which case parents will receive an informal but informed response within 3 school days. If

it is not possible to meet this deadline parents will be informed when a response will be made;

- d) The majority of concerns will be acceptably dealt with in this way. However, if you are not satisfied you may request to meet with a Senior Leader;
- e) If the issue still remains unresolved at stage 1, the complainant may request that the matter is taken to the formal stage 2.

### **Formal Stage 2 – Head of Schools involvement**

Formal complaints shall be put in writing and addressed to the Head of Schools;  
The complaint will be logged, including the date it was received.

- a) The school will normally acknowledge receipt of the complaint within 2 school working days of receiving it;
- b) The complainant will be informed
  - i. how the complaint will be investigated
  - ii. who will investigate
  - iii. the time scale for a full response to be made
- c) A meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible;
- d) The Headteacher will nominate a Senior Leader with no prior involvement with the complaint to investigate the matter, allowing the Headteacher to retain independence from the complaint;
- e) The nominated Senior Leader 'Investigating Officer' may contact the complainant(s) to clarify any issues and speak to others as necessary;
- f) The parent may meet with the 'Investigating Officer' and have a friend with them to support or speak for them in the meeting;
- g) The 'Investigating Officer' will interview relevant witnesses and take statements from those involved;
- h) If the complaint involves a pupil she will be accompanied by another with whom the pupil feels comfortable e.g. Head of Learning or Learning Mentor or parent where relevant;
- i) The 'Investigating Officer' will keep records of all discussions, telephone calls and relevant documentation;
- j) The Headteacher will make a full response to the complainant who may be offered a further meeting to explain how the investigation was carried out and the decision made;
- k) Where the complaint is made against the Headteacher the complaint should be heard by the Chair of Governors;
- l) In the first instance the Chair of Governors will establish whether the complaint has come direct to the Chair in which case the complainant should be referred to the process outlined above in this policy i.e. make the complaint to the Headteacher first in order to endeavour to come to a mutually accepted outcome;
- m) If it is not possible to come to a mutually acceptable outcome the complainant should address their complaint to the Chair of Governors who will make a decision on whether a meeting with the person complaining may have a chance of arriving at a mutually acceptable outcome OR convene the Stage 3 process.

### **Formal Stage 3 – Hearing before a panel**

- a) If the complainant is dissatisfied with the outcome of Stage 2 there will be a further and final right of complaint to a specially convened panel consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- b) The complaint should be lodged with the Executive Headteacher within ten school working days of receipt of the Stage 2 decision;

- c) The panel will meet within twenty school working days of receiving the complaint and the complainant and the Head of School will be informed of the date, time and venue of the hearing;
- d) The Complaint Panel must consist of at least three members, who were not directly involved in the matters detailed in the complaint
- e) The panel will consist of one member who is independent of the management and running of the school;
- f) The panel will appoint its own Chair. The Chair of the panel will ensure that the appeal hearing is minuted;
- g) The complainant may be accompanied at a panel hearing if they wish.
- h) The decision of the panel is final and will be communicated in writing to the complainant and the Head of School within five school days. The Complaint Panel will make findings of fact (on a balance of probabilities) and may make recommendations;
- i) The panel may make findings and recommendations and a copy of these findings and recommendations will be provided to the complainant, and, where relevant, the person complained about; and they will be available for inspection on the School's premises by the proprietor and the Executive Headteacher.

The panel considering complaints will be clerked.

**The Chair of the Panel has a key role, ensuring that:**

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact are made
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently

**Notification of the Panel's Decision**

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response, within five school working days

In addition, the panel has the following responsibilities: -

- The Complaint Panel will record their findings of fact and recommendations, and a copy will be provided to the parent and, where relevant, the person complained about
- A copy of the Complaint Panel's findings will be available for inspection by the Head of School and Local Governing Body on the academy's premises
- A written record will be kept of all complaints, whether dealt with informally or formally
- All material relating to the complaint will be kept confidential, other than for the purposes of inspection authorised by the Secretary of State

*We have carefully considered the impact of this policy on all protected characteristics as part of our ongoing process to ensure that it is fair and does not prioritise or disadvantage any pupil. This is in line with the Equality Act 2010*