

Complaints Policy

Approved:

December 2021

To be reviewed:

November 2024

Oak Learning Trust

Complaints Policy

1. Introduction

- 1.1 We strive to provide a high quality education for all our children. The CEO and staff work very hard to build positive relationships with all parents, carers and stakeholders. However, it is important that the academy has procedures in place through which parents, carers and stakeholders can exercise their right to complain about aspects of the academy's policy or practice, if they have concerns which have not been resolved through the normal channels of communication. This policy sets out the procedures which the academy follows in such cases.
- 1.2 If you are unhappy with the education that your child is receiving, or have any concerns relating to the academy, we encourage you to talk to the child's class teacher immediately. We always seek to resolve any concerns as quickly as possible, in the best interests of the child. In the vast majority of such cases, issues can be resolved without recourse to formal procedures.
- 1.3 After all internal academy complaint procedures have been followed, you have the right, as a last resort, to appeal to the ESFA (Education and Skills Funding Agency) if you still feel that your complaint has not been properly addressed.

2. Approval and Review

- 2.1 This policy was recommended to the Board of Oak Learning Trust by the CEO and approved by the Board on 8th December 2021.
- 2.2 This policy will be reviewed not less frequently than every three years however may be reviewed before this time should regulations change or advice as to its improvement be received.

3. Aims and Objectives

- 3.1 Our academy aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child(ren) above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.
 - 3.1.1 Assure all that we will consider all complaints seriously;
 - 3.1.2 Set out how we will manage the complaints process;
 - 3.1.3 Make clear the roles and responsibilities of staff in responding to any complaints;
 - 3.1.4 Provide information to those who wish to make a complaint.

4. The Complaints Process

Stage 1 - informal

- 4.1 If a parent or carer is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action where appropriate.
- 4.2 Where parents or carers feel that a situation is still not resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Phase Leader.
- 4.3 Where parents or carers feel that a situation has still not been resolved through contact with the class teacher or Phase Leader, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Head Teacher/Head of School.
- 4.4 Where a complaint does not relate to a child at the school the complainant should make informal contact with the Head Teacher/Head of School for an initial discussion to provide details of their issue(s).

Stage 2 - formal

- 4.5 An unresolved concern which needs investigation, or a more serious dissatisfaction with some aspect of the Academy's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Head Teacher/Head of School or the Chair of Governors, as appropriate (only complaints directly against the Head Teacher/Head of School should go to the Chair of Governors). Should a formal written complaint be received by another member of the academy's staff, this should be immediately passed to the Head Teacher/Head of School, or Chair of Governors.
- 4.6 **Acknowledgement:** The complaint will be acknowledged in writing normally within 5 school days of receipt during term time and as soon as practicably possible during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.
- 4.7 **Investigation and resolution:** The Head Teacher/Head of School may deal with the matter personally or delegate a senior member of staff to act as "investigating officer." Where the Chair of Governors is dealing with a complaint against the Head Teacher/Head of School they may delegate an investigation to another governor where this would be appropriate. The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the investigating officer will meet or speak with the complainant to discuss the matter.
- 4.8 **Outcome:** The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 school days from the receipt of the complaint. Please note that any complaint received during a School holiday or within 15 school days of the end of term or half term may take longer to resolve.
- 4.9 **Unresolved Complaints:** Where the complainant is not satisfied with the academy's response to their complaint they may have their complaint considered by a Complaints Panel.

4.10 In the case of concerns raised under Stages 1 and 2 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or correspondence between the person raising the concern and the respondent. Members of the Trusts Governance structure who are approached informally by those with a complaint will always refer the parent back to the Head Teacher/Head of School or an appropriate member of the academy staff. Only when such steps as provided for stages 1 and 2 of this policy have been followed and the complainant remains dissatisfied should the complaint be taken forward to a stage 3 Complaints Panel.

5. Stage 3 – Complaints Panel

- 5.1 Only if stages 1 and 2 fail to resolve the matter should a request for a Complaints Panel hearing be made. This must be made in writing, stating the nature of the complaint, how the academy has handled it so far and the reason for the Complaint Panel request. The complainant should send this written request to the Head Teacher/Head of School (or Chair of the Governing Body where a complaint has been made directly against the Head Teacher/Head of School).
- 5.2 The Head Teacher/Head of School or Chair of Governors will investigate the issue to ensure that stage 1 and 2 processes have been followed and that the academy has responded properly to the complaint.
- 5.3 The academy will convene a panel to hear and consider the complaint. The panel will consist of at least 2 Trustees and/or Governors who were not directly involved in the matter detailed in the complaint, and an additional panel member who is independent of the management and running of the academy.
- 5.4 The panel will invite the complainant to a hearing, where s/he can explain the complaint in more detail. The academy must give the complainant at least five school days' notice of the meeting, the opportunity to submit further information in writing and confirm that they can be accompanied if they so wish.
- 5.5 The panel hearing will usually be held on academy premises, but may take place remotely or on other premises as determined by the trust. All those attending will be expected to behave in an acceptable, professional manner. The Chair of the Complaints Panel retains the right to ask any party to leave the hearing or re-convene the hearing to a later date (within 5 school days) should any behaviours exhibited during the meeting be deemed as unacceptable.
- 5.6 After hearing the complaint and all the evidence, the panel may ask questions to clarify any issues. They will also hear from the Head Teacher/Head of School or Chair of Governors, who will present the academy's position, and will question him/her about this. The panel will then consider their decision and inform the complainant about it in writing.
- 5.7 There are no further stages or redress within Oak Learning Trust.
- 5.8 Should you be dissatisfied by the academy's handling of your complaint you have the right to contact the ESFA via their schools complaints form which can be found on the website: www.gov.uk.

Amendments to this Procedure

- 5.9 There may be instances where following this procedure is not appropriate. In such circumstances the stages of this procedure may be omitted or amended.
- 5.10 If the complaint relates to the CEO, stage 1 will be omitted and stage 2 should be actioned via writing to the Chair of the Board of Trustees.
- 5.11 Should the stage 2 investigating officer (via consultation with the Head Teacher/Head of School and CEO) feel it appropriate, the complaint can be referred to the Trust Board, who will then undertake the duties of the stage 2 investigating officer, or delegate them to some other person.
- 5.12 Oak Learning Trust retains the right to bring in an external party to assist in their investigations, (an HR firm, auditor, or educational specialist for example). Whilst the complainant may request this, there is no onus upon Oak Learning Trust to grant this request.

6. Uses of this Policy

6.1 Who May Use This Policy?

This policy may be used by anyone who has a concern or complaint about any aspect of the academy. In the main this will mean the parents and carers of the academy's pupils, but may include neighbours of the academy, or any other members of the local community. Where complaints are received from parents or carers relating to academy pupils, pupils must be currently on school roll or have attended the academy during the 6 months previous to a complaint being received.

6.2 Circumstances Under Which This Policy Should Not Be Used

This procedure should not be used for complaints about the following:

- The national curriculum;
- Collective worship;
- Religious education;
- Non-approved external qualifications or syllabuses;
- Temporary withdrawal of pupils from all or part of the national curriculum;
- Pupil admissions;
- Pupil exclusions.

6.3 Issues related to child protection, criminal investigations and employee grievances must also all be handled separately from this policy.

6.4 This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures.

6.5 If another policy is more appropriate than this complaints policy for any given situation then it should be used in preference to it.