

# Community Schools Trust

## CST Complaints Policy

### 1.0 Mission Statement

Community Schools Trust is a learning community where our students have high aspirations for themselves and each other. We want our students to grow into well-informed, well-balanced and confident citizens. We aim to provide a disciplined, safe environment where children learn effectively and respect each other.

### 2.0 General

Complainants can be parents or carers of pupils registered at a school, a member of the wider community, or someone representing an ex-pupil.

### 3.0 Investigating complaints

We will ensure that at each stage, the person investigating the complaint:

- Establishes what has happened so far
- Identifies who has been involved
- Understands the nature of the concern or complaint
- Knows what issues remain unresolved
- Contacts the complainant to establish and clarify information
- Speaks to or interviews those involved as required
- Conducts meetings with an open mind
- Keeps accurate records of the complaint including notes of any meetings or discussions

### 4.0 Resolving complaints

CST will acknowledge and register complaints from complainants. The possible outcomes of a complaint will be one or more of the following (this list is not exhaustive):

- An apology
- An explanation of what actually happened (clarification of the facts)
- An admission that the situation could have been handled differently or more appropriately
- An assurance that the event complained of will not reoccur
- An explanation of the steps that have been taken to ensure that the event will not happen again
- An undertaking to review school policies in light of the complaint

### 5.0 Dealing with vexatious complaints

If, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied or if the complainant tries to reopen the same issue, the Chair of the School Governing Body is able to inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

If a complainant raises a new, separate complaint, it will be responded to in accordance with the school complaints procedure.

## **5.1 Exclusions to the Policy and Exceptional Circumstances**

An anonymous complaint will only be investigated in very limited and exceptional circumstances. A complaint relating to matters more than 3 months in the past will normally only be accepted and investigated in exceptional circumstances.

Exceptional Circumstances typically include:

- Child protection issues
- Bullying allegations
- Gross misconduct

In such cases, the school may either involve appropriate external agencies and/or conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

## **6.0 The 4 Stage Complaints Procedure**

### **6.1 Stage 1 – Informal Stage**

In the vast majority of cases, a concern can and should be resolved by the complainant contacting an appropriate member of staff. This may be the subject teacher, head of year, form tutor or other designated staff member directly involved with the reported problem.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment. The complainant must allow the designated staff member at least 5 days to respond to the concern.

If this does not lead to a resolution of the problem then the concern or complaint will be referred to the next stage of the process which is the commencement of the formal process.

### **6.2 Stage 2 – Formal Stage**

If the complainant is dissatisfied with the response from the member of staff at Stage 1, they should put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2.

Where the Head Teacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors. If the complaint is being dealt with by the Chair of Governors, this will bypass Stage 2 and go to Stage 3 of the formal procedure and be heard by the Chair of Governors.

The complainant should ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They should also attach any evidence to support their concerns.

The Head Teacher will acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state a further communication will follow, within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher may delegate to another senior member of staff the responsibility for the investigation and instructions to resolve the matter. All notes relating to the investigation will be kept on file. The member of staff investigating may feel it necessary to meet with the complainant. If this happens, then notes should be produced of the meeting.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher (or an appropriate member of staff such as a Deputy) must notify the complainant in writing of the conclusion and any actions that will be taken as a result.

### **6.3 Stage 3**

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of Governors for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint, and the desired outcome they seek. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

The Chair of Governors must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

### **6.4 Stage 4 – Formal**

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3, they should be advised that the next stage is to put their complaint in writing to the School Governing Body at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint will be considered by a panel of governors who form a complaints appeal panel. The panel must be independent and impartial. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors and be sensitive to the issues of race, gender and religious affiliation. If appropriate, the panel can be made up of governors from another school.

The panel will convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk will be appointed to take notes of the meeting and records will be kept.

The Head Teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the governing body. Therefore the remit of governors' consideration of a complaint about a matter of internal organisation and control will be as to whether the Head Teacher has followed any relevant school policies; it is not to substitute

its own operational judgement for that of the Head Teacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-chair (whomever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint.
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.

Possible outcomes for the panel:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Recommend changes to school systems or procedures to ensure that similar do not occur.

In all cases, an outcome letter will be sent to the complainant within 20 school days of the meeting.

## **7.0 Further information**

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedure. If the complainant is dissatisfied with the process, they are able to contact the Secretary of State for Education at the following address:

The Secretary of State for Education,  
The School Complaints Unit (SCU)  
Department for Education  
2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester  
M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint.

## **8.0 Links to other policies**

CST expects staff and students to comply with all internal policies and procedures. Where these have not been followed, a complaint may be raised using the guidance contained in this policy.