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# COMPLAINTS POLICY AND PROCEDURE

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Policy approved by the Trust Board

A handwritten signature in black ink that reads "Janet E. Gregory".

**Janet Gregory**  
**Chair of Trust Board**  
**28<sup>th</sup> April 2022**

NEXT REVIEW: DECEMBER 2024

CRANMER EDUCATION TRUST

THE BLUE COAT SCHOOL, EGERTON STREET, OLDHAM. OL1 3SQ

# COMPLAINTS POLICY AND PROCEDURE

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## 1.0 Introduction

- 1.1 The Cranmer Education Trust endeavours to provide the best possible education for all its pupils in an open and transparent environment. We welcome feedback that we receive from parents, pupils and third parties and we accept that not all of this will be positive.
- 1.2 Where concerns are raised the Trust intends for these to be dealt with fairly, openly, promptly and without prejudice.
- 1.3 In order to do so, the Trust Board of the Cranmer Education Trust has approved the following procedure which explains what you should do if you wish to make a complaint about any school which is a member of the Cranmer Education Trust. All members of staff will be familiar with the procedure and will be able to assist you.

## 2.0 Complaints that fall outside of this procedure

- 2.1 Complaints relating to the following issues are covered by a separate/specific policy.
- 2.2 **Pupil admissions**; please see the school's admissions policy published on each school's website.
- 2.3 **Pupil exclusions**; please see the behaviour policies of schools published on each school's website.
- 2.4 **Staff grievance, capability or disciplinary**; these are covered by the Trust's Grievance Procedure, Staff Disciplinary Policies and Procedure, Teachers' Appraisal and Capability Policy, Support Staff Capability Policy, all of which can be accessed through the Trust's published drive.
- 2.5 Where a complaint concerns a third party used by the Trust/school; **please complain directly** to the third party themselves.
- 2.6 **Subject Access Requests and Freedom of Information Requests**; please see the Trust's Data Protection and Freedom of Information Policy.
- 2.7 **Safeguarding**; – please see the CET's Safeguarding and Child Protection Policy, available in the published drive and on the Cranmer Education Trust website.

## 3.0 Resolving concerns informally

- 3.1 For the purpose of this procedure concerns are defined as having a worry or doubt over an issue considered to be important for which reassurances are sought. The majority of concerns can be dealt with without resorting to the formal stages of the formal complaints procedure (see below). The Trust Board encourages those that have concerns to raise them with the appropriate person at the school (e.g. your child's class teacher if in primary or the form teacher, subject teacher, Head of Department or Head of Year in secondary – if in doubt, contact the school's reception who will be able to advise) and to work constructively with that person towards resolving them. The extent to which this was both attempted and followed may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.
- 3.2 The formal stages of the procedure should be followed when attempts to resolve concerns informally have proved unsuccessful and in cases where individuals wish to raise their concern formally.

## 4.0 Complaints about the Headteacher or the governors

- 4.1 Where a complaint is about the headteacher, the complainant should notify the Chief Executive Officer (see contact details at the end of the document). The stage one process (see the formal stages below) will then commence, but with the Chief Executive Officer as the individual responsible for the investigation, rather than the headteacher.

4.2 Where a complaint concerns a governor the complainant should contact the Cranmer Education Trust. The clerk will then determine the most appropriate course of action, seeking advice as appropriate. This will depend upon the nature of the complaint.

## 5.0 The timescale for making a complaint

5.1 Notification of a complaint should be given as soon as possible after the issue that led to the complaint has occurred and after informal attempts to seek resolution have proved unsuccessful. Complaints that are submitted three months after the issue that led to the complaint occurred will not be considered under this procedure unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the headteacher/Chief Executive Officer/clerk to the governing board (as appropriate) will review the circumstances, seek advice and determine whether the complaint should be considered under the formal procedure.

## 6.0 Maintaining records

6.1 A confidential written record of all complaints that are made in accordance with this procedure will be kept by the school. The written record will include whether the complaint has been resolved following a formal procedure and whether it proceeded to a panel review meeting. It will also refer to any action taken by the school as a result of the complaint regardless of whether it has been upheld. It will include the panel's findings and recommendations which will be provided to the complainant and, where relevant, the person complained about and will be available on the school premises for inspection by the proprietor and the headteacher. The Trust Executive monitors complaints made to each school as part of this procedure and reports to the Trust Board.

## 7.0 Maintaining confidentiality

7.1 Informal concerns and complaints will be dealt with confidentially at all stages and at the conclusion of the procedure. Confidentiality should be maintained all times by everyone involved. The Trust Board of the Cranmer Education Trust requests that complaints are not discussed publicly, including via social media.

7.2 Actions taken in relation to school staff that arise as a result of the complaint will remain confidential to the school and the member of staff concerned except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them."

7.3 Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

## 8.0 Safeguarding

8.1 Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to report this immediately to the local authority. Any action taken will be in accordance with the Trust's safeguarding policy, details of which may be found on the Cranmer Education Trust website, and that of each school in the Trust.

## 9.0 Formal stages of the complaints procedure

9.1 The majority of concerns can be dealt with without resorting to the formal stages of the procedure. If you need to raise a concern then please do so with the relevant member of staff who will be happy to talk to you and seek to resolve it.

9.2 There are **two** formal stages of the complaints procedure.

### Stage 1 – formal investigation by headteacher

1. A request for a formal investigation of a complaint by the headteacher (or Chief Executive Officer, if the complaint is against the Headteacher) should be made in writing C/O the school, or by completing the formal complaints form that is included as Appendix 1 of this procedure.
2. The headteacher (or Chief Executive Officer, as appropriate) will acknowledge the request in writing no later than 10 working days (excluding those that fall in the school holidays) of receiving it. The written acknowledgment will, as far as possible, explain how the complaint will be investigated and the timescale for completing the investigation.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. The headteacher will consider all relevant evidence. This **may** include, but is not limited to:
  - obtaining statements from the complainant and those involved with the complaint
  - meeting with the complainant and those involved in the complaint
  - reviewing correspondence and other document relating to the complaint
5. After considering the available evidence, the headteacher can decide to:
  - uphold the complaint and direct that certain action be taken to resolve it
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) direct for certain action to be taken, or
  - dismiss the complaint entirely
6. The headteacher will inform the complainant of their decision in writing, the grounds on which it was made and any actions taken as a result of the complaint. This will be within 20 working days (excluding those that fall in the school holidays) of having issued written acknowledgement of receipt of the complaint (see 2 above). The written notification shall also advise the complainant of their right to escalate the complaint to stage 2 of the formal complaints procedure if they are not satisfied with the outcome at stage 1.

### Stage 2 – Review by a panel of the local governing board

1. The complainant is entitled to request a review of the decision taken at stage 1 and the actions taken. The review is carried out by a panel of the local governing board at a meeting convened by the clerk to the Trust Board.
2. Requests for a review of the decision taken at stage 1 should be made in writing to the clerk (see contact details below) no later than 4 weeks after written notification of the decision taken has been received. The request should include a brief summary of the complaint, why the complainant is dissatisfied with the outcome of stage 1 and the outcome they are seeking.
3. The clerk will fulfil the role of organising the time and date of the review meeting, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting. Minutes of the review meeting will be taken by a member of the clerking team and provided with the written notification of the decision taken at stage 2 (see 9 below).

The following steps are taken at stage 2:

1. The clerk will acknowledge the written request for the complaint to be reviewed no later than ten working days (not including the school holidays) after receiving it.
2. The clerk will convene a panel of two school governors and one member independent of the management of the running of the school to review the complaint. All three panel members will not have been directly involved in the matters detailed on the complaint.
3. The review meeting will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the written acknowledgement from the clerk (see 1 above).
4. The panel **may** decide to invite the following to attend the review meeting:
  - the complainant
  - the headteacher (or chair of the governing board as appropriate) who investigated the complaint and made the decision at stage 1
  - relevant persons involved the complaint
  - persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at stage 2
5. Where the complainant, headteacher and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member/friend/representative as appropriate. However, legal representatives are not permitted to attend the review meeting.
6. Where the relevant persons involved in the complaint include pupils at the school, and their attendance at the review meeting has been requested by the panel, parental permission must be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
7. Where the complaint is about a governor/trustee/governing board the complainant may request that the review meeting is held by an independent panel. This is at the discretion of the academy trust who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.
8. After considering the complaint afresh and reviewing the available evidence, the panel reviewing the complaint can decide to:
  - uphold the complaint and direct that certain action be taken to resolve it;
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and direct for certain action to be taken, or
  - dismiss the complaint entirely.

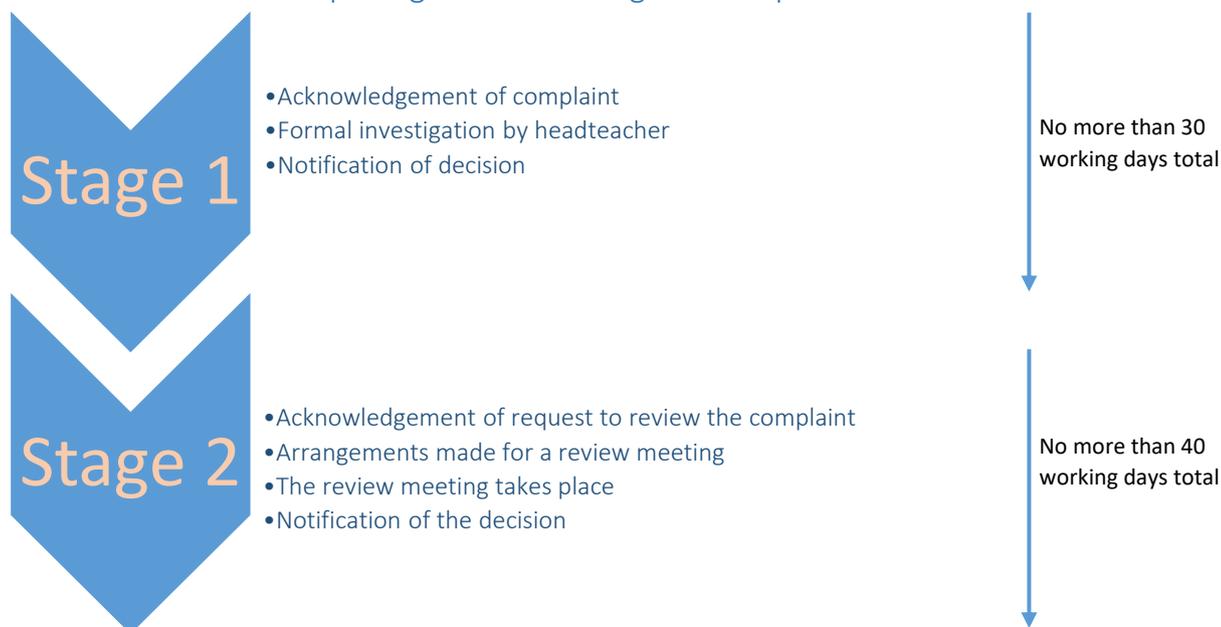
Irrespective of the decision taken, the panel may also recommend steps that the complainant and the school should take to move forward from the presenting issues in the best interests of all concerned. The panel may also recommend steps to be taken that reduce the likelihood of a similar complaint being made in the future.

9. The complainant, the headteacher (or Chief Executive Officer, as appropriate) who investigated the complaint and made the decision at stage 1, and, where relevant, the person complained about will be informed in writing of the outcome of the review meeting no later than 10 working days (excluding those which fall in the school holidays) after the review meeting has taken place.

This is the **final stage** at which the school will consider the complaint.

If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can complain to the Education and Skills Funding Agency after the complaints procedure has been exhausted. Please note that 'unreasonable' is used in a legal sense and means acting in a way in which no reasonable school or authority would act in the same circumstances. <https://www.gov.uk/complain-about-school>

#### 10.0 Timescale for completing the formal stages of the procedure



All schools in the Cranmer Education Trust endeavour to complete the formal stages of its complaints procedure in a timely manner and within the timescale for each stage that is referred to above. However, if it becomes clear that for any reason a school is unable to meet the timescale for completing a stage of the procedure, the complainant will be advised of this immediately, along with the reason for the delay and the revised timescale.

#### 11.0 Serial, persistent and unreasonable complaints

11.1 We ask that complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. Repeated correspondence sent either by letter, phone, email or text, could delay the outcome being reached. In these circumstances, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact any of our schools causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

11.2 For the purpose of this procedure a complaint may be viewed as serial and/or persistent if it relates to the same issue that was the subject of a previous complaint (made by the same complainant) which has already been through a formal complaints procedure in which the complainant has been notified of the outcome. In such cases it is likely that the complainant will be informed that the matter is now closed and that the school will provide no further response.

- 11.3 For the purpose of this procedure the Cranmer Education Trust defines unreasonable behaviour as that which hinders the efficient and effective running of the school or makes excessive demands on staff time which prevents them from working with or on behalf of pupils or which is abusive, offensive or threatening. This includes posting inaccurate, falsified, unacceptable or potentially slanderous information/comments on social media. A complaint may also be viewed as unreasonable where the complainant refuses to co-operate with the complaints' investigation process; refuses to accept that certain issues are not within the scope of the complaints' procedure; insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice. In such cases the headteacher/Chief Executive Officer/clerk to the Trust Board (as appropriate) will consult with relevant parties and may decide that the complaint is not considered under this procedure. The complainant will be notified in writing that this is the case and that the school will provide no further response.
- 11.4 Queries regarding any aspect of the complaints procedure should be directed to the Executive Assistant/Company Secretary at the following address, The Cranmer Education Trust, c/o The Blue Coat School, Egerton Street, Oldham, OL1 3SQ.

**Formal Complaints Form**

Name	
Name of pupil, school, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:					
Dated:					

<i>Official use</i> Date received:
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