



Complaints Procedure for Parents and Carers

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This document applies to all academies and operations of the Vale Academy Trust. www.vale-academy.org

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Complaints Procedure for Parents and Carers

Who can use this procedure?

This procedure is for parents and carers of pupils currently registered at the school to which the complaint pertains.

Anyone other than parents and carers of currently registered pupils should instead use the **Complaints Procedure for Public Use**, which can be found on the school website or a copy can be obtained from the school office.

Principles

Our school is a member of the Vale Academy Trust (the 'Trust'). All schools in the Trust are required to provide a complaints procedure that gives parents and carers of current pupils a formal structure to complain about school issues. We seek to ensure that all reasonable concerns and complaints are dealt with efficiently, sensitively and where possible in confidence, at the appropriate level. All complaints are handled in a balanced, neutral way, and assuming nothing until all of the facts are established.

This procedure meets the standards set out in the Education (Independent School Standards) (England) Regulations 2014.

Exceptions to Complaints Procedure

This procedure covers all complaints about any provision of facilities or services at the school as they relate to current pupils, however, the exceptions listed below are not covered because separate procedures exist.

In certain circumstances, for example where the Local Authority or another public body is investigating the matters in a complaint, the school's own process may be suspended until those investigations are concluded.

Exceptions	What you should do
<ul style="list-style-type: none">Allegations of child abuse /other child protection issuesOther safeguarding issues	Immediately report your concern to the class teacher, Designated Safeguarding Lead or Headteacher and check the school's safeguarding policy.
<ul style="list-style-type: none">Statutory Assessment of SEN	Check the school's SEND offer and report your concern to the SENCO or Headteacher
<ul style="list-style-type: none">School Admissions including appeals	Check the Admissions information on the school's website.
<ul style="list-style-type: none">Where a currently registered pupil wishes to personally raise a concern or make a complaint	He or she should talk to an appropriate teacher or member of staff and follow in-school procedures for dealing with pupil concerns and complaints.
<ul style="list-style-type: none">Pupil Exclusions	Check the school's Behaviour Management Policy.

<ul style="list-style-type: none"> Whistleblowing (<i>for financial or other regulatory malpractice</i>) 	Check the school's Whistleblowing Procedure.
<ul style="list-style-type: none"> Staff grievances /disciplinary procedures 	These matters will invoke the school's internal grievance procedures. Staff should refer to the school's Staff Grievance Policy.
<ul style="list-style-type: none"> Complaints about Vale Academy Trust central operations (non-school based) members of staff 	Email the Central Administration Team at enquiries@vale-academy.org with details of your complaint and these will be passed to the relevant line manager.

If your complaint relates to an external service provider, this should be raised with the Headteacher of the school in the first instance, but it might be that you or the school will have to follow the provider's own complaints procedures thereafter.

If the issue concerns a serious safeguarding or child protection issue, an allegation of abuse or a matter with serious disciplinary consequences, the Headteacher should be informed immediately. The appropriate policy and procedures must be followed and the School's Designated Safeguarding Lead must also be informed.

Raising a concern or complaint

Stage 1 - Informal Resolution

It is important that the school knows of a concern or complaint at the earliest opportunity. In the first instance it is usually the class teacher who can best deal with the problem although there may be situations where a senior member of staff or the Headteacher would need to discuss the matter (or the Chair of the Local Governing Body, if the complaint is about the Headteacher). Experience shows that nearly all concerns raised by parents can be dealt with quickly and efficiently at this informal stage.

If you are uncertain about who you should contact, please seek advice from the school office.

It is a precondition to the operation of this procedure that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. The Chair of the Local Governing Body shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent or carer may elevate it to the formal stage.

Stage 2 – Formal Resolution: Investigation by a member of the Senior Leadership Team

1. The complainant must put the complaint in writing, addressed to the Headteacher of the school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
2. The Headteacher will assign a member of the School Leadership to investigate the complaint, which may include the offer of a meeting with the complainant. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 15 school days of the written complaint being received.

Where the complainant remains dissatisfied she or he may request the complaint is dealt with at **Stage 3**. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10** school days of the complainant receiving the findings in writing.

Any complaint relating to the Headteacher or a member of the Local Governing Body must be raised in the first instance with the Chair of the Local Governing Body who will, if an informal resolution cannot be reached, investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Headteacher or a member of the Local Governing Body.

Any complaint relating to the Chair of the Local Governing Body must be raised in the first instance with the Chair of the Trust's Board of Directors (using the contact details for the Vale Academy Trust which can be found on the [Trust's website](#) – please mark your correspondence 'For the Attention of the Chair of the Board of Directors'). The Chair will, if an informal resolution cannot be reached, designate a member of the Board of Directors to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Chair of the Local Governing Body.

For complaints against members of the Trust's Board of Directors, please note the process to follow set out at the end of this procedure.

Stage 3 – Formal Resolution: Local Governing Body

1. The complainant must put the complaint in writing, addressed to the Chair of the Local Governing Body, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
2. The Chair of the Local Governing Body may appoint a member of the Local Governing Body to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her or his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 15 school days of the written complaint being received.

Where the complainant remains dissatisfied she or he may request the complaint is dealt with at **Stage 4**. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within **10** school days of the complainant receiving the findings in writing. The request must be addressed to enquiries@vale-academy.org

Stage 4 – Formal Resolution: Panel Hearing

1. The Complaints Panel of the Vale Academy Trust will consider all complaints at Stage 4.
2. The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the Trust and any of its schools.
3. The Complaints Panel may also include one or more persons from the following categories:
 - (i) a member of the Local Governing Body of the school where the complaint emanated from;
 - (ii) a member of a Local Governing Body from another school within the Trust;
 - (iii) a member of the Trust's Board of Directors.
4. None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
5. The Complaints Coordinator will invite the school to put in writing its response to the complainant's reasons. The school will provide this within 15 school days. At the end of that period (whether or not the school has responded) the Complaints Coordinator will convene a meeting of the Complaints Panel and a Clerk will be assigned to the panel. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the end of

the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

6. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.

7. The Panel may make findings and recommendations and a copy of those findings and recommendations will be
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) made available for inspection on the school premises by the Headteacher or the Chair of the Local Governing Body, as appropriate.

8. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned. **Thereupon the Trust and school complaint process will be exhausted and no further correspondence will be entered into.**

Attendance at a Complaints Panel Hearing

The Complaints Panel will only proceed if the complainant and/or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or Persistent Complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of the Board of Directors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

Complaint against a member of the Board of Directors

If the complaint is against a member of the Board of Directors, then the Chair of the Board, (or in the case of a complaint against the Chair the Vice Chair) will investigate the complaint (or

appoint another member of the Board to do so) in the same way as in the process at **Stage 3**. **Stage 2** does not apply.

In exceptional circumstances the Chair of the Board of Directors may at his or her absolute discretion determine that a complaint against a Headteacher or member of the Local Governing Body should be dealt with at Board level and if so determined the Chair of the Board of Directors will oversee **Stage 3**.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the school or the Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

You may contact the ESFA if you are not happy with how your complaint was handled under these procedures, using the online form below:

[ESFA Schools Complaints Form](#)

If a complaint is received by the ESFA they will check whether the complaint has been dealt with properly by the school/Trust. They will consider complaints about schools/trusts that fall into any of the following three areas:

1. where there is undue delay or the school/trust did not comply with its own complaints procedure when considering a complaint
2. where the school/trust is in breach of its funding agreement with the Secretary of State
3. where a school/trust has failed to comply with any other legal obligation

The ESFA will not overturn a school/trust's decision about a complaint. However, if they find a school/trust did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

If the school/trust's complaints procedure does not meet the Regulations, they will ask the school/trust to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.