

## 1 INTRODUCTION

This policy provides a framework to guide school leaders and governors and strengthen decision-making as they deal with complaints about the school.

This policy is based on

- The Equality Act 2010
- The Public Sector Equality Duty 2011
- DfE Best Practice Advice for School Complaints Procedures 2020
- DfE Creating an Academy Complaints Procedure
- DfE Understanding and dealing with issues relating to parental responsibility
- The Great Academies Education Trust (GAET) Vision and Values.

## 2 PURPOSE AND OBJECTIVES

### Purpose

This policy aims to ensure that on occasions when parents/carers or other stakeholders have concerns about their child's education or about particular issues at one of our Academies, they know how to raise a concern, make a formal complaint, use the various stages of the complaints process and that people dealing with the complaint do so properly.

### Objectives

The objectives of this policy are to

- Inform all stakeholders of the procedures to follow for raising concerns or complaints;
- ensure a consistent approach to concerns and complaints that arise;
- encourage resolution of concerns by informal means wherever possible;
- encourage the person with the concern or complaint to say what can be done to resolve the issue;
- support academy staff dealing with complex complaints
- ensure the system to raise and resolve concerns and complaints is easily accessible, simple to understand and use;
- ensure the process is impartial and non-adversarial.
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation and an independent review where necessary.
- respect people's desire for confidentiality and maintain this where possible;
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to the academy's senior management team, Governors and the Trust so that services can be improved.

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### 3 GUIDING PRINCIPLES

This policy is guided by legislative duties, national guidance and the GAET Vision and Values

#### Key legislative duties and national guidance

- The Equality Act 2010 which legally protects people from discrimination in the workplace and in wider society. The Act provides protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic.
- The Public Sector Equality Duty 2011 which ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.
- DfE Best Practice Advice for School Complaints Procedures 2020 which aims to share and encourage best practice and help schools avoid common pitfalls
- DfE Creating an Academy Complaints Procedure which sets out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.
- DfE Understanding and dealing with issues relating to parental responsibility which aims to help schools understand their obligations and duties in relation to the rights and responsibilities of parents, as recognised by education law.

#### GAET Vision and Values

##### Vision

“Great Academies Education Trust will be a truly outstanding, outward facing multi-academy trust supporting its academies, from their starting points, to become outstanding.

All pupils will make exceptional academic progress in all subjects and regardless of age or stage will be work and college ready.”

Our academies will be places where pupils are valued as individuals, where they will have opportunities to achieve highly, lead strongly and develop into confident, responsible and successful young adults.”

In implementing this policy, the Trust and its employees will work with all other relevant agencies to develop outstanding procedures to deal with, and learn from, complaints about its academies. By implementing the policy, parents and other stakeholders will be listened to and their concerns and complaints heard and resolved as quickly as possible. In dealing with complaints, and in learning from them, the academies will be able to better support their pupils to make progress, achieve and develop into resilient, confident, responsible and successful young adults.

##### Values

“All individuals will embody our values

Genuine - mutually trusting, open, honest and reflective.

Respect(ful) to all.

Excellent at what they do, striving for excellence and intolerant of mediocrity.

Achievement focussed-understanding that academic excellence is the goal and high aspirations key to each child achieving their academic potential.

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Together-believing that we can make the biggest difference when we work as a strong team.”

In implementing this policy, the provision for pupils is paramount. Anyone raising a concern or making a complaint will be treated fairly and honestly. All stakeholders will be involved, as appropriate, in genuine conversation and decision-making. Conversations will include respectful challenge and will be honest and reflective. The procedures to handle concerns and complaints will always challenge mediocrity and strive for excellence. By learning from concerns and complaints our pupils will be better supported to achieve the highest academic standards possible. GAET staff will work together with each other, and other parties, to focus on the best possible well-being and academic outcomes for pupils.

## 4 EQUALITY

The Great Academies Education Trust recognises the protected characteristics under the Equality Act 2010. We do not discriminate against anyone on the grounds of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation. This is in line with the Equality Act 2010 and covers both direct and indirect discrimination.

## 5 IMPLEMENTATION GUIDANCE

### 5.1 Who can make a concern or a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Copley Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### 5.2 What is the difference between a concern and a complaint?

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Copley Academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

### 5.3 How to raise a concern or complaint

A concern or complaint can be raised in person, in writing or by telephone. In the event of a concern about a pupil or the academy, in the first instance, you should always address your concern to the member of staff who has direct responsibility for your child's welfare i.e. your child’s teacher or form tutor. They may

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also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if the Trust believes that exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

If possible, concerns will be dealt with immediately. In such circumstances the teacher will confirm acknowledgement of the concern and the action taken within the academy week. This may be in person, by telephone or in writing. All contacts will be recorded in academy, e.g. on the SIMs or CPOMS communication record.

If it is not possible or appropriate to deal with the concern there and then a letter of acknowledgement will be sent within the academy week. An assessment will then be made about the nature and seriousness of the concern and the action that should be taken to remedy the situation. A decision will be reached and a response made within 5 further academy days. The response may be in writing, by telephone or in person. The response will be recorded on CPOMS communication record.

#### 5.4 Scope of the complaint procedure

This procedure covers all complaints about any provision of community facilities or services by Copley Academy, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> </ul>	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <a href="mailto:Tania.Brown@ladoreferrals@tameside.gov.uk">Tania Brown at ladoreferrals@tameside.gov.uk</a>.</p>

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## COMPLAINTS POLICY

<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the Trust's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Statutory assessment of a child's Special Educational needs</li> </ul>	
<ul style="list-style-type: none"> <li>School reorganisation proposals</li> </ul>	

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against Copley Academy in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### 5.5 Resolving a complaint

At each stage in the procedure, Copley Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur

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- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### 5.6 Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### 5.7 Exceptional Circumstances

The DfE expects complainants to have completed the school’s complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm.
- Pupils are missing education.
- A complainant is being prevented from having their complaint progress through the school’s complaints procedure.
- The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably.

If a social services authority decides to investigate a situation, the headteacher or governing board may postpone the complaints procedure.

Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions, certain decisions relating to formal assessment of SEND, and decisions to permanently exclude a child.

If a complainant commences legal action against the school in relation to their complaint, the school will consider whether to suspend the complaints procedure, until those legal proceedings have concluded.

If any complaints are received during Covid-19 school closures the guidance in appendix 4 will be applied.

## 6 Complaints Procedure

### 6.1 Stage 1 – Informal Complaints

It is to be hoped that most complaints can be expressed and resolved on an informal basis. Complaints should be raised with either the class teacher, year head / subject head or Principal. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days of the date of receipt of the complaint. If the issue remains unresolved, the next step is to make a formal complaint.

### 6.2 Stage 2 – Formal Complaints

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Formal complaints must be made to the Principal (unless they are about the Principal), via the school office. This must be done in writing (preferably using the Complaint Form), reasonable adjustments can be made where required.

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face to face meeting is the most appropriate way of doing this.

***Note: The Principal may delegate the investigation to a member of staff that they deem suitably qualified, however, the outcome of the complaint remains that of the Principal.***

During the investigation, the Principal (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Copley Academy will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Principal, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the Principal or member of the governing body must be made to the Clerk of the Local Governing Committee, Hannah Abbott, via the school office or emailed to [habbott@gaet.co.uk](mailto:habbott@gaet.co.uk).

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be escalated to the CEO of the Trust.

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### 6.3 Stage 3 – Governor Panel

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. The Governing Body will not interfere with the Principal’s day-to-day management of the Academy, but will investigate whether your complaint has been dealt with in an appropriate manner. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 2 response. At the governor panel, no further complaint can be added to the original complaint at this stage.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if the Trust considers exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

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Representatives from the media are not permitted to attend and meetings must not be recorded. The Clerk will take minutes during the meeting.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 10 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant’s own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school’s systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Copley Academy with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Copley Academy.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Copley Academy will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Principal.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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 2008 Act requests access to them.

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## 6.4 Recording Complaints

Written records of all complaints, investigations and outcomes will be confidentially maintained by the Academy Trust except where access is requested by the Secretary of State or a body conducting an inspection under section 163 of the 2002 Education Act.

Audio recordings of any complaints meetings are not permitted.

## 6.5 Serial/Unreasonable Complaints

The procedure for dealing with serial or unreasonable complaints is described in Appendix 2.

## 6.6 Monitoring, Evaluation and Review

An anonymous analysis of all formal complaints will be reported to the Academy Trust Board on a regular basis, together with recommendations regarding any changes necessary to the Academy Trust's Complaints Procedures.

## 8. ROLES AND RESPONSIBILITIES

### Great Academies Education Trust

- Creates this policy and keeps it up to date
- Monitors and evaluates anonymised information regarding formal complaints on an annual basis
- Considers changes to the Trust's systems or procedures to ensure that problems of a similar nature do not recur.

### Governing Body

- Undertakes panel hearings as described in 6.3 above
- Monitors and evaluates anonymised information regarding formal complaints on a termly basis
- Considers changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

### Governor Panel

The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;

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- Decide on the appropriate action to be taken to resolve the complaint;
  - Recommend changes to the school’s systems or procedures to ensure that problems of a similar nature do not recur.
- a. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, the GB will ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
  - b. The aim of the hearing, held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
  - c. The GB acknowledges that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
  - d. Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel will be aware of the views of the child and give them equal consideration to those of adults. Where the child’s parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
  - e. The governors sitting on the panel need to be aware of the complaints procedure.
  - f. The chair of the panel seeks support and/or specialist advice from the Trust if appropriate

**Clerk to the governor panel**

The clerk will be the contact point for the complainant and is required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Share notes / minutes of the meeting.
- Notify all parties of the panel’s decision.

**Principal**

- Hears Stage 2 complaints as described in 5.2.2 above
- Seeks support and/or specialist advice from the Trust if appropriate

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## School Complaints Coordinator

### Stage 1 Complaints

- Establishes what has happened so far, and who has been involved;
- Clarifies the nature of the complaint and what remains unresolved;
- Speaks to the complainant (if further information is necessary);
- Clarifies what the complainant feels would put things right;
- Identifies an appropriate person to investigate;
- Seeks support and/or specialist advice from the Trust if appropriate

### All complaints

- Keeps a record of the progress of all formal complaints;
- Produces an anonymised report on complaints for the governing body.

## Investigator

### Stage 1 Complaints

- Interviews those involved in the matter, allowing them to be accompanied if they wish;
- Conducts interviews with an open mind and is prepared to persist in the questioning;
- Keeps notes of the interview or arrange for an independent note taker to record the minutes of the meeting;
- Prepares a response to the complaint.

### Class teacher/Form tutor

#### Concerns

- Deals with concerns as described in 5.3 above

## 7 LINKS TO OTHER POLICIES

This policy should be read in conjunction with;

Great Academies Education Trust Policies including:

- Safeguarding and Child protection
- Behaviour
- Anti-Bullying
- Staff Discipline
- Whistleblowing
- Pupil admissions
- Special Educational Needs and Disabilities
- Staff grievances
- Managing allegations

DfE Creating an Academy Complaints Procedure

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DfE Best Practice Advice for School Complaints Procedures 2020  
DfE Understanding and dealing with issues relating to parental responsibility

**9. SOURCES CONSULTED**

DfE Best Practice Advice for School Complaints Procedures 2020  
The Equality Act 2010  
The Equality Duty 2011  
The Key for School Leaders, complaints policy checklist  
DfE Creating an Academy Complaints Procedure  
DfE Understanding and dealing with issues relating to parental responsibility  
DfE Model Complaints Procedure for Multi-Academy Trust

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**Appendix 1 Great Academies Education Trust Complaint Form**

Please complete and return to The Complaints Co-ordinator at the academy, who will acknowledge receipt and explain what action will be taken.

Your name
Pupil's name
Your relationship to the pupil
Address
Daytime telephone number
Evening telephone number
Details of your complaint
What action, if any, have you already taken to try and resolve your complaint. Who did you speak to and what was the response?
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature and date
<b>Official use only:</b> Complaint tracking

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## APPENDIX 2 - SERIAL AND UNREASONABLE COMPLAINTS

Great Academies Education Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Great Academies Education Trust defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school/Trust, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Principal will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the academy causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the academy premises.

### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Principal or the Academy Trust can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Principal or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

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**Appendix 3****COMPLAINT STAGE 3 GOVERNOR PANEL****PROCEDURE**

1. Chair introduces panel members, complainant and/or representative, investigating officer and their roles in the meeting, Panel of 3 members.
2. Where the Complainant and/or a representative attends, they will introduce the basis for proceeding to a governor panel and present the complaint, otherwise the Panel will consider written representations;
3. Where present, questions to the Complainant/representative from the Panel, Academy representative (if in attendance);
4. If in attendance, Academy representative presents its response to the complaint, or governors consider any written response, correspondence already provided;
5. Questions to the Academy representative from the Panel, Complainant;
6. Complainant sums up;
7. Academy representative sums up;
8. Chair to sum up;
9. Panel retires to consider the complaint and responses.

In the absence of the Complainant or an academy representative, or otherwise where the Panel requires clarity or wishes to raise further questions, review documents, interview any person, the Panel may adjourn the hearing for such period as the Chair regards as reasonable but not so to prejudice the complaints procedure. No further complaint can be added to the original complaint at this stage.

A decision of the panel (including their findings and recommendations) will be given in writing to the Complainant and where applicable, the Academy/ person against which the complaint was made within 3 working days of the close of the full hearing.

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**Appendix 4 – Information for complainant after Stage 3 is complete.**

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by [Copley Academy](#). They will consider whether <School Name> has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

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**Appendix 5****Complaints Procedure During the Coronavirus (COVID-19) Pandemic****The following only applies during school closures****Statement of intent**

In line with current government guidance, the school is not expected to handle new or existing complaints while it is open to a limited number of pupils due to the coronavirus pandemic; however, the school remains committed to maintaining open communication channels with parents and all stakeholders during this time.

We understand the necessity to adapt our procedures during the school's partial closure and to ensure members of our school community can continue to voice any concerns they may have.

This appendix outlines how the school will manage concerns and complaints during the coronavirus pandemic, in line with the government's guidance and this policy. The information in this section is under constant review and kept updated to reflect any changes to national or local guidance.

**Making a complaint**

For the purpose of this policy, a "**complaint**" can be defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action taken.

The normal complaints procedure set out within the main body of this policy will resume once the school reopens fully to all pupils and when directed by the DfE; until this point, formal complaints will not be dealt with by the school.

Any updates that influence this policy will be communicated to all parties involved via email a timely manner.

Complainants are encouraged to call the DfE for more information regarding the expectations on schools regarding complaints at this time.

**Concerns with regards to school closures**

A "**concern**" can be defined as 'an expression of worry or doubt' where reassurance is required.

Parents can share concerns about aspects of the school's current provision, by contacting the headteacher via telephone or email. Concerns will be responded to as soon as it is deemed possible.

Parents who wish to share a concern about their child's learning should in the first instance will raise their concerns with their child's class teacher via telephone or email.

If a concern relates to the safeguarding of a child, the person concerned should contact the, LA or, where appropriate, the police without delay.

**Recording a concern**

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A written record will be kept of any concern made in the school's Concerns Log where deemed necessary, and will include:

The main issues raised and any recommendations.

Whether the concern was resolved and how this was achieved.

Actions taken by the school as a result of the concern raised.

The school will keep the governing board up-to-date with any concerns raised and actions that are taken to resolve them, where necessary.

**Monitoring and review**

The Principal is responsible for continually monitoring government updates and updating this appendix in line with any changes and guidance on both national and local levels.

Any changes to this appendix will be communicated to all staff, parents and relevant stakeholders.

This appendix will be considered redundant once the school reopens fully to all pupils and when directed by the DfE – at which point, the school will resume its regular complaints procedures.

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**School Appendix – Copley Academy****Concerns: How to contact your child’s teacher**

You can either contact your child’s teacher, head of department, head of year or form tutor by telephoning school on 0161 338 6684 and leave a message or by emailing [mail@copleyacademy.org.uk](mailto:mail@copleyacademy.org.uk) or direct (their email addresses can be found on the school website)

**Complaints Stage 1: Informal complaint**

At this stage you should speak or write to the Academy’s Complaints Coordinator. Please email [mail@copleyacademy.org.uk](mailto:mail@copleyacademy.org.uk) with FAO complaints coordinator in the subject heading.

**Complaints Stage 2: How to escalate your complaint to Stage 2**

If you are not satisfied with the response you have received from Stage 1, the complaint may be progressed to Stage 2 of the formal complaints procedure. At this stage, you should speak or write to the Principal. [mail@copleyacademy.org.uk](mailto:mail@copleyacademy.org.uk) with FAO Mrs Craven in the subject heading.

**Complaints Stage 3: How to escalate your complaint to Stage 3**

If you are not satisfied with the response you have received at Stage 2, the complaint may be progressed to Stage 3. Stage 3 complaints should be addressed to the Chair of the Governing Body by emailing Clerk of the Governors, Hannah Abbott, [habbott@gaet.co.uk](mailto:habbott@gaet.co.uk) please advise which school your child attends in your email.

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**Complaints Procedure Summary**

Submitting a concern:

- The concern is submitted by telephone/in person/email and will be dealt with straight away if possible.
- If the concern cannot be dealt with straight away, a letter acknowledging the concern will be sent within 5 academy days and a response will be provided within a further 5 academy days, this may be in writing, in person or by telephone.
- Concerns will be recorded on the school CPOMs system.

Stage 1 - Submitting an informal complaint:

- The informal complaint is submitted by telephone/in person/email to a class teacher/Head of Year/ Subject Head/Principal, the email address is [mail@coleyacademy.org.uk](mailto:mail@coleyacademy.org.uk)
- An informal written response will be sent to the complainant within 10 school days.
- If the complainant is not happy with the response then the complainant can progress the complaint to Stage 2 of the complaint procedure.

Stage 2 – Submitting a formal complaint:

- The formal complaint is submitted in writing, this can be by email, to the Principal, the complaints form – Appendix 1 can be used to help the complainant formulate the complaint.
- If the complaint is about the Principal, the complaint should be addressed to the Chair of the Local Governing Committee (LGC) via the Clerk. (The Clerk’s email address is [habbott@gaet.co.uk](mailto:habbott@gaet.co.uk) ).
- The Principal or Chair of the LGC will provide written acknowledgement of receipt of the formal complaint. Within the acknowledgement the Principal/Chair of LGC may request further information. A face-to-face meeting may be arranged.
- The Principal will either investigate the complaint, or appoint a member of staff to complete the investigation on their behalf.
- The Principal, or LGC Chair in the event of the complaint being about the Principal, will provide a formal written response within 10 school days from the receipt of the complaint. In some cases, the investigation may take longer to complete, the Principal will inform the complainant of the delays at the earliest possible opportunity and will provide a new estimated date of response. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Copley Academy will take to resolve the complaint.
- If the complainant is not happy with the response, the complaint can be progressed to Stage 3 – Governor Panel by emailing the Clerk of Governors Hannah Abbott on [habbott@gaet.co.uk](mailto:habbott@gaet.co.uk) within 10 school days of the response for Stage 2.

- Stage 3 – Governor Panel The request for a Governor Panel must be made to the Clerk of the Governing Body within 10 school days of the Stage 2 response from the Principal or Chair of the LGC by emailing the Clerk – [habbott@gaet.co.uk](mailto:habbott@gaet.co.uk) .
- A panel consisting of 3 Governors will be arranged within 20 school days from the receipt of the Governor Panel request by the Clerk. If the date cannot be made within 20 school days, the complainant will be advised of the anticipated date.
- 10 school days before the arranged hearing date, the Clerk will confirm the date and time of the meeting and request for any further written information to be submitted.
- 7 school days before the arranged hearing date, all parties will submit the final written submissions for the hearing.
- 5 school days before the arranged hearing the document pack will be sent to everyone attending the hearing.
- The Chair of the Committee will provide a written response to the complainant within 10 school days of the hearing. The response will include Appendix 4 of the complaint procedure.

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