



Complaints Procedure

Approved by LCT Board – December 2017

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Introduction

The Learning Community Trust and its academies always deal with all informal concerns seriously and at the earliest stage so that we reduce the numbers that may develop into formal complaints. We encourage people to contact us immediately so that we resolve the issue quickly and effectively so that it does not escalate.

However, any formal complaints should always follow our complaints procedure.

The Principles of our Complaints procedure are:

- We encourage resolution of problems by **informal** means wherever possible;
- Our procedures are easily **accessible** and **publicised**;
- Our procedures are **simple** to understand and use;
- Our procedures are **impartial**;
- We are **non-adversarial**;
- We deal within established **time-limits** and keep people informed of the progress;
- We ensure a full and **fair** investigation by an independent person where necessary;
- We respect people's desire for **confidentiality**;
- We address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- We always try to improve what we do and the systems we use

Investigating complaints

When investigating the complaint the person investigating will make sure that they:-

- Establish **what** has happened so far, and **who** has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;

- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview or arrange an independent note taker to record the meeting

Complaints made by people who are not parents

The procedure for how the Trust and its academies deals with complaints from people who are not parents of attending pupils follows the same processes. This will also be the case for local MPs.

Staff Training

The Trust will ensure that all staff involved in the handling of complaints will be suitably trained to do so. There will be an annual review of training needs and identified CPD will be provided.

Record Keeping

The complaints procedure will follow a written record keeping process for all formal complaints. This will include:

- Whether they were resolved at each stage of complaint or escalated to the higher stage.
- What action was taken by the Trust or academy as a result of the complaint.
- Whether or not the complaint was upheld.

Resolving Complaints

We will always want to resolve a complaint and we may offer one or more of the following:-

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An explanation of the steps we will take to ensure it does not happen again
- An undertaking that we will review school policies as a result of the complaint

Behaviour of complainants

There is an expectation that all parties involved in the complaints process model professional behaviour. The Trust will not accept the following:

- Swearing
- Personal comments not linked to the complaint
- Aggressive behaviour

If any of the above behaviours are witnessed the lead for the relevant stage may decide to end the meeting

The stages of the complaint

The Learning Community Trust operates a staged complaints procedure as it is in everyone's interest to resolve a complaint at the earliest stage. The PA to the Principal/Headteacher in each academy will co-ordinate any complaints and will follow the stages outlined below.

Stage 1 (informal): complaint dealt with by staff member – usually within 2 working days and by telephone or informal meeting

At this stage the issue or complaint can be dealt with by a member of staff such as a Pastoral Manager, class teacher or subject teacher or their line manager e.g. team leader or subject leader.

If the complainant indicates that he/she would have difficulty discussing a complaint with a particular member of staff, then the complaint may be dealt with by an Assistant Head Teacher or Deputy Head Teacher at this stage.

Where the complaint concerns one of the Principals or Headteachers then the complainant will be referred to the Chair of Governors.

Similarly, if the member of staff directly involved feels uncomfortable dealing with a complaint, then the complaint will be referred to another staff member. The member of staff may be more senior but does not have to be.

Where the first approach is made to a governor, the next step would be for the governor to refer the complainant to the PA to the Principal or Headteacher who will advise them about the procedure. Governors are not involved in the early stages of a complaint as they may be required to sit on a panel at a later stage of the procedure.

Stage 2 (formal): complaint heard by relevant Principal or Headteacher) usually within 10 working days but often sooner

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage 1. The Head may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The Head will make contact, in the first instance, to acknowledge receipt of the complaint and arrange a meeting to discuss the issues.

Stage 3 (formal): complaint heard by Chair of Governors usually within 15 days

If the complainant is not satisfied with the response of the Principal/Headteacher or the complaint is about the Principal or Headteacher the complainant should write to the Chair of Governors to request that their complaint is considered further.

Stage 4 (formal): complaint heard by Governing Bodies Complaints Appeal Panel usually within 15 working days

The complainant usually needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel.

The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a Governing Body complaints panel.

The panel will consist of at least 3 people who were not directly involved in the matters detailed in the complaint.

The complainant is allowed to attend the panel hearing and be accompanied if he/she wishes and will be given 7 days' notice of panel date.

The panel must make findings and recommendations. This written outcome must be provided to the complainant and, where relevant, the person complained about. Recommendations must also be available for inspection by the Trust and relevant Headteacher/Principal.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Further appeals

The final stage of appeal is to the Education Funding Agency. Complainants should write to The EFA Complaints, Central Intervention Team, Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.

Dealing with persistent or serial complaints

The Trust, in line with DFE guidance, states that the academy need not respond if a complainant raises again an issue that has already been taken through the complaints procedure.

Monitoring of complaints

The Local Governing Body will monitor the level and nature of complaints, in order to help them identify patterns that could point to a wider problem.

Complaints information shared with the whole governing body should not contain names of individuals in case an appeal panel needs to be constituted.

