



# Inspire Education Trust

Together we achieve, individually we grow

## Complaints Policy (Primary)

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**Policy Date:** June 2021

**Review Date:** June 2022

## Document History

Version	Status		Date	Author	Summary Changes
V1			June 21	Rob Darling	Page 9. Para 5. Removal of meeting with the complainant and the Investigating Officer

## 1 Aims

At the Inspire Education Trust, we value our relationship with students, parents and community users and we endeavour to provide a high quality service at all times. We recognise that at times things can and do go wrong. The Board of Trustees, Head teachers, staff and members of the Local Governing Bodies (LGB) at Walsgrave C of E Academy, Whittle Academy, Hearsall Community Academy, Clifford Bridge Academy, Stockingford Academy and Blue Coat C of E and Music College, (please see separate complaints policy for Blue Coat Church of England School) believe that it is everybody's best interest to resolve concerns and complaints at the earliest possible stage. For ease of read, the term 'parent' has been used throughout the document, to include parents, legal guardians and full time carers.

### Framework of Principles

The Inspire Education Trust Complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be impartial and non-adversarial.
- Be easily accessible and publicised.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect.
- Keep complainants informed of the progress of the complaints process.
- Provide information to the leadership teams of the schools so that services can be improved.

## 2 Legislation and Guidance

This document meets the requirements set out in part 7 of Schedule 1 to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

## 3 Definitions and Scope

The DfE guidance explains the difference between a concern and a complaint.

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

The school will resolve concerns through day-to-day communication as far as possible. A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

Admissions  Statutory assessments of special educational needs (SEN)	Concerns about admissions and statutory assessments of Special Educational Needs should be raised with Coventry City Council or Warwickshire County Council (Stockingford Academy only)
Safeguarding matters	<p>Complaints about child protection matters are handled under The Inspire Education Trust's/the school's Safeguarding and Child Protection 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 local Multi- Agency Safeguarding Hub (MASH)</p>
Exclusion of children from school	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>
Whistleblowing	<p>The Inspire Education Trust has an internal whistleblowing procedure for employees, including temporary and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers 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 the school should complain through The Inspire Education Trust's Complaints Policy.</p> <p>You may also be able to complain direct to the DfE depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff will be dealt with in accordance with The Inspire Education Trust's/the school's internal grievance procedure
Staff discipline / conduct	<p>Complaints about staff will be dealt with under The Inspire Education Trust's/school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as result of a complaint. However, the complainant will be notified that the matter is being addressed</p>
Complaints about services provided by other providers whose school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
Complaints made directly to Ofsted	

This policy does not cover complaints procedures relating to:

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about a school's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENDCo) or head teacher; they will then be referred to this complaints policy. Our SEN Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

#### **4 Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

#### **Complaints about our fulfilment of Early Years Foundation Stage requirements**

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

## 5 Stages of complaint

### Stage 1: An informal discussion

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. The complainant should raise the complaint as soon as possible with the relevant member of staff or the head teacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

We do not impose specific timescales for dealing with concerns at this stage however they will be considered as expeditiously as possible.

If, after due consideration, the complaint is not resolved informally, it could be escalated to a formal complaint – stage 2 if the complainant wishes to progress this further.

### Stage 2: Complaint heard by the Head Teacher/|Head of Education, Primary/Chair of Governors

Where the complaint is against the Head Teacher, Stage 2 will be conducted by the Head of Education Primary.

Where the complaint is against the Head of Education Primary, Stage 2 will be carried out by the Chair of Governors from another LGB.

The formal stage involves the complainant putting the complaint into writing using the complaint form attached at Annex A, usually to the Head teacher, (unless the complaint relates to the Head teacher or Head of Education, Primary) and/or the subject of the complaint. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The School will acknowledge the complaint form within five working days. The Head teacher (or other person either appointed by the head teacher for this purpose, or in line with above) will then conduct an investigation, speak to the necessary individuals, take statements from those involved. This could take up to 10 working days. Written records of meetings, telephone calls and other documentation will be kept.

Once the facts have been established, the head teacher or persons stated above will arrange for the complainant to receive a letter that explains the outcome of the investigation. The letter will be sent within 20 working days from the date the complaint form was received by the school.

If the complainant is not satisfied with the response and wishes to proceed, they should refer to Stage 3. The complainant should inform the Chair of Governors in writing within five working days.

### Stage 3: Independent Review Panel

Complaints will be escalated to an Independent Review Panel if the complainant is not satisfied with the response to the complaint at Stage 2.

The panel will be appointed by, or on behalf of the school, and must consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member must be independent of the management and running of the school. The panel cannot be made up solely of the school's LGB, as they are not independent of the management and running of the school.

The aim of the Independent Review Panel is to resolve the complaint and achieve reconciliation between the school and the complainant.

If you wish to request a panel hearing, please write to the Chair of Governors at the school explaining why you are unhappy. The letter should be sent within 25 working days (one month) of receiving the outcome letter from Stage 2. If the letter is received outside the 25 working days, the complaint will be referred back to Stage 1 of this process.

The Chair of Governors will set up a hearing within 10 working days of receiving the letter and inform the complainant of this in writing. All parties will be given five working days' notice of a hearing. The review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting. The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The panel will have access to the existing record of the complaint's progress (see section 8).

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Head teacher.

The school will inform those involved of the decision in writing within 15 working days.



## 6 Referring complaints on completion of the School's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint.

However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:  
<https://www.gov.uk/complain-about-school>

## 7 Unreasonable complainants

The Inspire Education Trust is committed to dealing with all complaints fairly and impartially. We do 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.

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors or CEO (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or

- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, schoolstaff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

### 7b. Duplicate complaints

If a complaint has been resolved under this procedure and the school receives a duplicate complaint on the same subject from a partner, family member or other individual, the school will assess whether there are aspects that they hadn't previously considered, or any new information they need to take into account.

If they are satisfied that there are no new aspects, they will:

- Tell the new complainant that they have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

## 8 Record-keeping

The school will record the progress of all complaints, including information about action taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept for three years.

The details of the complaint, including the names of individuals involved, will not be shared with the

whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## **9 Learning lessons**

The Board of Trustees will monitor the level and nature of complaints across the schools and will review any underlying issues raised by complaints where appropriate, and respecting confidentiality, determine whether there are any improvements that the schools can make to its procedures or practice to help prevent similar events in the future.

## Annex A: COMPLAINT FORM (Stage 2)

Please complete the form below and return it to the Head teacher's PA/Office Manager at your school, who will acknowledge receipt and explain what action will be taken.

Your name:

Students Name (If applicable):

Your relationship to student (If applicable):

Address:

Postcode:

Daytime Telephone Number:

Evening Telephone Number:

Please give details of your complaint / issue:

What action, if any have you 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:

Signed: (Complainant)

(Print Name)

Date:

# Complaints Policy Addendum Managing Serial and Unreasonable Complaints

Inspire Education Trust, Primary 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 our 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.

Inspire Education Trust, Primary defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- 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
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the

complaint is being dealt with

- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 headteacher/ Head of Primary/ CEO (where applicable) or Chair of Local Governors/ Trust will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher/ Head of Primary/ CEO will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact their Inspire Education Primary 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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from their Inspire Education Trust Primary Academy.

Reviewed by:

Rob Darling

June 2021

Next Review Date:

June 2022

Approved by Directors:

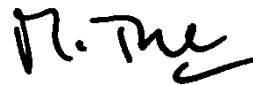
14 July 2021

Signed:



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Lois Whitehouse  
Headteacher



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Malcolm Tyler  
Chair of Directors