

**Coppice Primary
Partnership**

An Ethic of Excellence



COMPLAINTS POLICY

Approved: Term 4 21/22

Next review: Term 4 22/23

1. Introduction

Coppice Primary Partnership endeavours to provide the best possible education for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive.

Where concerns are raised the Trust intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Board of Trustees has approved the following procedure which explains what you should do if you wish to make a complaint about the school.

2. Legislation and guidance

- This document meets the requirements set out in part 7 of the schedule 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). This policy complies with our funding agreement and articles of association.

3. General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the Trust as a whole, or one or more of the schools, or the services that are provide.
- An anonymous concern or complaint may not be investigated under this procedure, unless the Headteacher or Trust Leader or Chair of Trustees accepts that there are exceptional circumstances, for example a Child Protection issue. Anonymous complaints will not be automatically disregarded. They may relate to a serious issue which may subsequently resurface.
- The procedure respects people's desire for confidentiality;
- The procedure addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
- The procedure provides information to the trust's / school's senior leaders so that services can be improved.
- There are occasions when complainants would like to raise their concerns formally. In these cases, our formal procedure should be invoked through the stages outlined within the Trust's complaints procedure.

4. Who can make 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 Coppice Primary Partnership 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. 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. Coppice Primary Partnership takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
- If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the school office manager (acting as complaints administrator), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the school office manager will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Coppice Primary Partnership will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

6. How to raise a concern or make a complaint

- A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.
- Complaints against school staff (except the head teacher) should be made in the first instance, to the head teacher of the school via the school office. Please mark them as Private and Confidential.
- Complaints that involve or are about the head teacher should be addressed to the Chair of the Local Governing Board, via the school office. Please mark them as Private and Confidential.
- Complaints about the Trust Leader or a trustee of the Trust, should be addressed to Carole Hardy, Chair of Trustees, via the trust office. Please mark them as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Nicky Wheeler (Trust Governance Professional) via the trust office (based at Loose Primary School). Please mark them as Private and Confidential.
- 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.

7. Time scales

- 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 exceptional circumstances apply.

8. Complaints received outside of term time

- Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

9. Scope of this complaints procedure

- This procedure covers all complaints about any provision of community facilities or services by Coppice Primary Partnership 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"> • Admissions to schools 	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"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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). LADO – 03000 410888/MASH – 03000 420004.
<ul style="list-style-type: none"> • Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none"> • Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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: www.education.gov.uk/contactus . 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.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.

<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school’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>
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- 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 Coppice Primary Partnership in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded

10. Resolving complaints

- At each stage in the procedure, Coppice Primary Partnership 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
 - 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.

11. Withdrawal of a complaint

- If a complainant wants to withdraw their complaint, they will be asked to confirm this in writing.

12. Resolving Concerns Informally

- The majority of concerns can be dealt with without resorting to the formal stages of the formal complaints procedure (see section 13). The governing board of the trust schools encourage those that have concerns to raise them with the appropriate person at the school (e.g. your child’s class teacher) and to work constructively with that person towards resolving them. The extent to which this was both attempted and followed may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.
- Where a concern is raised, a meeting will be arranged within 5 school days.
- The formal stages of the procedure should be followed when attempts to resolve concerns informally have proved unsuccessful, and in cases where individuals wish to raise their concern formally.

13. The Complaints Procedure

a. Stage 1 – Formal Complaints

- Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).
- The head teacher 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 head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.
- During the investigation, the head teacher (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 head teacher will provide a formal written response within 20 school days of the date of receipt of the complaint.
- If the head teacher 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 Coppice Primary Partnership will take to resolve the complaint.
- The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.
- If the complaint is about the head teacher, 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 1.
- Stage 1 will be escalated to the Trust Leader of the Trust if the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body

b. Stage 2 – Panel Hearing

- If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – 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. This is the final stage of the complaints procedure.
- A request to escalate to Stage 2 must be made to the Trust Governance Professional, via the trust office, within 10 school days of receipt of the Stage 21 response.

- The Trust Governance Professional 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 exceptional circumstances apply.
- The Trust Governance Professional will write to the complainant to inform them of the date of the meeting. The aim will be to convene a meeting within 25 school days of receipt of the Stage 1 outcome. If this is not possible, the Trust Governance Professional will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance Professional 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.
- Stage 2 will be heard by the trustees and an independent panel member if the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend.

- If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union.
- Media and legal representatives are not permitted to attend.
- At least 10 school days before the meeting, the Trust Governance Professional 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 panel at least 5 school days before the meeting.
- Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The panel 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 panel will consider the complaint and all the evidence presented. The panel 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 panel 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 Panel will provide the complainant and Coppice Primary Partnership with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days after the meeting.
- 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 Coppice Primary Partnership.
- 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 Coppice Primary Partnership 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 head teacher.
- 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.

14. Complaints escalated to / about the Trust, Trust Leader or Trustee

- If a complaint is escalated to Coppice Primary Partnership, “the trust” or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the Trust Leader to be investigated.
- The Trust Leader will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 1 of this Complaints Policy and will confirm the date for providing a response to the complainant.
- Following the investigation, the Trust Leader will write to the complainant confirming the outcome within 20 school days of the date that the letter was received. If this time limit cannot be met, the Trust Leader will write to the Complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.
- If the complaint concerns the Trust Leader or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.
- If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Trust Governance Professional asking for the complaint to be heard before a Complaint Panel, within 20 school days.
- The Trust Governance Professional 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 exceptional circumstances apply.
- The Trust Governance Professional will write to the complainant to inform them of the date of the meeting. The aim will be to convene a meeting within 25 school days of receipt of the Stage 1 request. If this is not possible, the Trust Governance Professional will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance Professional 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.
- Stage 2 will be heard by a completely independent panel if the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire trust board or
 - the majority of the trust board
- The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.
- One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.
- A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend.
- If a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- Media and legal representatives are not permitted to attend.
- At least 10 school days before the meeting, the Trust Governance Professional 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 panel at least 5 school days before the meeting.
- Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The panel 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 panel will consider the complaint and all the evidence presented. The panel 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 panel 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 Panel will provide the complainant and Coppice Primary Partnership with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days after the meeting.
- 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 Coppice Primary Partnership.
- 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 Coppice Primary Partnership 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 head teacher.
- 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.

15. Next Steps

- 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 2.
- The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Coppice Primary Partnership. They will consider whether the relevant school 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, 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

Appendix 1 – Complaints Form

Please complete and return to the relevant and appropriate person identified in Section 6 of this policy who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What would you like to see happen in order to resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:

Appendix 2 - Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, Trust Leader, Chair of Governors, Chair of Trust or the Trust Governance Professional and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Trust Governance Professional

The Trust Governance Professional is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision.

Panel Chair

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Trust Governance Professional) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Trust Governance Professional (and complaints co-ordinator, if the school has one).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor / trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The trust may use governors other school's Local Governing Boards from within the Trust to ensure impartiality.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.