



## **KET Parent/Carer Complaints Policy**



This policy applies to any matter which has been raised with a Trust school by a parent/carers as a matter of concern, but which has not been capable of resolution and which the complainant or the school considers should be dealt with on a formal basis. However, it does not apply to complaints that have their own statutory procedures, such as admissions, exclusions, statutory SEN assessments, matters involving child protection involvement. Should a complaint be received which falls outside the scope of this policy, the complainant will be informed and redirected to the relevant guidance. Whistleblowing and staff grievances and discipline matters will not be considered under this policy.

It is a pre-condition of the operation of this policy that the complainant shall have made reasonable attempts, as set out below, to seek a resolution and shall have acted in relation to the matter in a reasonable, measured and proportionate way. The Chair of the Trust, the Chair of the Local Governing Body or Chair of the appropriate committee with delegated responsibility shall have discretion to not allow a complaint to be pursued unless this precondition has been met.

This policy meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014<sup>1</sup>, as required by the Department for Education, which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

For the avoidance of doubt this policy does not apply to those who are not parents/carers of pupils currently on roll at a school within the Trust. Complaints that fall in to this category will be dealt with as follows:

- Complainants should first attempt to address their complaint to the school or Trust (as appropriate) informally. Only if this fails to resolve the situation should the complaint be submitted in writing to the Headteacher (if the complaint is about the school) or to the CEO (if the complaint is about a Headteacher of a school within the Trust or the Trust generally). The complainant will receive an acknowledgement of receipt of the complaint. The complaint will be considered and a final written response issued.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### **What is a complaint?**

In any community, misunderstandings arise or actions are taken which might be felt to militate against the spirits of fairness and common sense established in the school. A complaint is an expression of dissatisfaction about policies or procedures, the conduct, actions or omissions of members of staff or governors at the school, or directors of the Trust, and the standards of teaching and learning. This is different to a 'concern' which may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

It is important to move swiftly to prevent the escalation of a minor problem into a major incident.

### **Timescales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, the complainant must raise the complaint within 3 months of the last incident.

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<sup>1</sup> <https://www.legislation.gov.uk/uksi/2014/3283/schedule/made>

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We will consider exceptions to this time frame only in circumstances where there were valid reasons for not making a complaint at the time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

### **Stage 1 - Early and informal resolution of your complaint**

1. Do not hesitate to contact the school if you are uneasy or dissatisfied about something. It is important not to let concerns build up into serious mistrust or irritation. We are as keen to see things run smoothly as you are - after all, we all want the best for the children.
2. When you contact the school, say what concerns you have and try to find out the facts. You will be in a much better position to know if you have grounds for a complaint when you are in possession of all the facts. We may be able to give an explanation or fill in details which answer your concerns. Do not rely solely on your child's account or on information from other parents/carers.
3. We welcome telephone calls from individuals who wish to talk about a problem before it becomes a complaint. A telephone call is better than a letter or email, and a temperate letter or email is better than an ultimatum or threat of action.
4. If you approach a member of the Local Governing Body directly, the Governor will direct that person to raise their complaint with the relevant person at the school. In circumstances where the complaint is about the Headteacher, you should follow the guidance set out in section 13 of this policy.

If it is clear that a complaint (as opposed to a concern) has been raised, the School will aim to address the matter immediately. For example, during the course of an informal conversation in which the complaint is raised. At other times the School will respond within 10 school days. Where this is not possible we will set new time limits and provide the complainant with details of this and an explanation for the delay.

### **Contacting the school**

5. Talk to the right person. It may be tempting to "go straight to the top" but putting the problem to the Headteacher often escalates something that could have been better resolved at a lower level.
6. Where the matter involves an issue relating to a child at the school, your first line of approach is the child's Form Tutor/Class Teacher. These are the people who have immediate responsibility for the child's studies, pastoral care, discipline and involvement in school life. In most cases, it is they who will be best informed about the child and will be best placed to resolve problems.
7. For issues relating to provision of facilities or services that the school provides, your first line of approach is the Headteacher.

## The school's expectation

8. The school seeks to build a partnership with parents/carers in the education of their children. This Parent/Carer Complaints Policy sets out how the school will deal with your concerns.

We would ask that, for your part...

- do not believe everything you hear - things are often not entirely the way they are reported (by children or by other parents/carers); children very much see things from their own point of view and important elements, circumstances and nuances of the story are often omitted in the version told to the parent/carers;
- find out what your child is like in school - you may be surprised; children in school can be very different people from the way they are at home - sometimes for better and sometimes for worse;
- trust the school to resolve matters according to the aims and methods stated in this policy;
- seek information from the school where you need it;
- consider what the school has to say;
- disclose full and frank information which would help the school to resolve situations with integrity and justice;
- take seriously, and report without delay, any concerns or suspicions of bullying;
- do not involve your child inappropriately in your complaint - it is important that the child sees parent/carers and school working together to resolve differences or difficulties; the child should not be placed in a position where s/he appears impertinent, insolent, disobedient or acts inappropriately; remember that directly countermanding a teacher's instruction or requirement is likely to make matters worse and bring confrontation rather than resolution.

## What you can expect of the school

9. You can expect your complaint to be recorded, to be taken seriously and to be investigated.
10. You can expect staff to be professional. This may sometimes mean they do not agree with you and must put forward a view or make a decision that you may not like - but they will always explain their reasons.
11. Your child will be involved only if the complaint directly and personally concerns them. Parents/carers are sometimes worried that if they complain there will be adverse consequences for their child. The school is committed to ensuring that this is never the case.

12. You can expect members of staff to treat the complaint with appropriate confidentiality.

Where the matter has not been resolved at the informal stage, you may elevate your complaint to the formal stages set out below.

## **Stage 2 – Formal**

13. The complaint should be made formally in writing to the Headteacher of each school.

If the complaint regards the Headteacher, it should be referred to the Chair of the Local Governing Body.

Complaints against the Chair, a governor, the entire governing body or complaints involving both the Chair and the Vice-Chair should be sent to the Clerk to the Local Governing Body who will determine the most appropriate course of action.

Complaints against staff working centrally within the multi-academy trust should be referred to the CEO who will determine the most appropriate course of action.

Complaints against the CEO should be referred to the Chair of the Board of Directors.

Complaints against the Chair, a director, the entire Board of Directors or complaints involving both the Chair and Vice-Chair of the Board of Directors should be sent to the Clerk to the Board of Directors who will determine the most appropriate course of action.

The appropriate recipient of the formal written complaint will then follow the steps set out below.

14. The Headteacher (or appropriate person) will document the complaint, acknowledge it in writing within 5 school days of receipt, and will consult with those directly involved, and aim to deal with the complaint within 15 school days of the receipt of the formal letter of complaint. Where this is not possible we will set new time limits and provide the complainant with details of this and an explanation for the delay. Senior staff will be involved as appropriate at this level and this may form part of a wider investigation.
15. The Headteacher (or appropriate person) or a senior member of staff may also meet with the complainant and, following any necessary investigation or actions, provide a written response to the complaint.
16. If the complaint cannot be resolved and/or the complainant remains dissatisfied, the complainant will be advised of the next stage which is to have the complaint heard before a panel.

### Stage 3 – Panel Hearing

17. If the complainant is not satisfied with the response to the complaint as dealt with at Stage 2 above then they will be invited to write to the Headteacher (or appropriate person) (at each school address) requesting a panel hearing.
18. The request for a panel hearing must be submitted as soon as possible and, in any event, within 5 school days of the decision in Stage 2 of the complaint being notified to the complainant.
19. The Headteacher (or appropriate person) will request the Clerk to the Local Governing Body/Board of Directors to appoint a panel that will consider the complaint within 20 school days of receipt of the notification.
20. The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint, including one person who is independent of the management and the running of the school. The independent person may be a governor from a local governing body at a different school within the Kingsbridge Educational Trust who has no conflicts of interest or prior knowledge of the complaint.
21. The panel meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The panel reserve the right to set the agenda and procedure for the panel meeting but broadly the complainant will have the opportunity to put his/her reasons for dissatisfaction to the panel but may not introduce matters not previously put in writing. The school will have the opportunity to give its account of the situation and each side, as well as the panel, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
22. 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 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.
23. The complainant may attend and be accompanied by a friend or relative at a panel hearing if they wish, but legal representation (by either party) will generally not be permitted. The panel has the discretion to proceed irrespective of whether or not the complainant and/or their representative attend. Any further attempt to re-open the matter may be considered as falling under the serious/persistent complaint section below.
24. The panel will also consider the school's response and carry out further investigations and/or interviews as appropriate.
25. The panel will aim to reach a final decision on the complaint and recommend any appropriate action as quickly as possible, normally within 5 school days after the panel hearing.
26. The panel will record in writing its findings and recommendations and these will be sent to the complainant, and, where relevant, the person complained about. This will

normally be sent out within 10 school days of the hearing. The record of the panel meeting will be available upon request.

Where the school is not able to meet any of the above timescales we will set new time limits and provide the complainant with details of this and an explanation for the delay.

The record of findings and recommendations will be available for inspection on the school premises by the proprietor and the head teacher.

A written record of all formal complaints received at Stage 2 will be kept indicating:

- Whether they are resolved at Stage 2 or proceed to a panel hearing; and
- Action taken by the school as a result of those complaints (regardless of whether they are upheld)

Correspondence, statements and records relating to individual complaints are to 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.

### **Support**

27. At any stage of the complaints procedure, the complainant is welcome to bring with them a friend or relative.
28. Within the complaints procedure it is not appropriate for either party to bring legal representatives to any meeting forming part of the complaints procedure. However, there may be occasions when legal representation is appropriate.
29. The school will not generally enter into correspondence with solicitors or others in place of direct communication with parents/carers.

### **Anonymous complaints**

30. Anonymous complaints are unhelpful and will not usually be acted upon.

### **Withdrawal of a complaint**

31. If a complainant wants to withdraw their complaint, the school will request this to be confirmed in writing.

### **Duplicate complaints**

32. If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.
33. If we are satisfied that there are no new aspects, we will:
  - Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete;
  - Direct them to the Department for Education if they are dissatisfied with our original handling of the complaint.



34. If there are new aspects not previously considered, the complaints procedure as outlined in this policy will be followed again.

### **Serial and Persistent Complaints**

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

### **Campaigns**

36. If the school becomes the focus of a campaign and receives large volumes of complaints all based on the same subject, the school reserves the right to send a standard response to all complainants and/or publish a single response on the school's website. The school will not instigate the formal processes outlined earlier in the policy in response to such a campaign. If complainants are dissatisfied with the response that is provided, they may contact the Department for Education.

### **Record-keeping**

37. A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of when the complaint was resolved. The action taken by the academy or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

### **Confidentiality**

38. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them or disclosure is otherwise required by law (including but not limited to subject access and freedom of information requests).

### **Education and Skills Funding Agency (ESFA)**

39. Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to progress the complaint within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at <https://form.education.gov.uk> or you may write to the Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD.

## Complaints Relating to Fulfilment of the EYFS Requirements

40. In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:
- The written concern/complaint will be acknowledged within 5 days;
  - The Headteacher will investigate the concern or complaint which may include meeting with the complainant and the Head of Early Years. A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
  - Where the complainant remains dissatisfied, the Headteacher will ensure that a formal complaints panel will be convened in accordance with stage 3 of this policy.
41. A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.
42. Where an individual has concerns regarding the school meeting EYFS requirements they may contact Ofsted on 0300 123 4666.

## Links to other policies

Policies dealing with other forms of complaints include:

- Safeguarding and child protection
- Admissions
- Behaviour management/Exclusions
- Staff grievance
- Staff disciplinary
- SEND
- Whistleblowing

This policy will be reviewed annually by the Board of Directors.

Adopted by the Board of Directors  
October 2021; Interim update June 2022