Complaints Policy

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Polaris

Multi-Academy Trust

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1.0 Purpose of policy and guiding principles

1.1 This policy is intended as a good practice guide applying to most general complaints which the academy is likely to receive from parents, carers and other stakeholders that use academy facilities or services.

1.2. To make a complaint the trust and individual academy's complaints procedure (which every academy in England must have and which is published on the academy website) must be followed and you should only move to the next step if your complaint is not resolved. Once the complaints process has been followed you can complain to the Department for Education (DfE) if you have followed all other steps. It should be noted that if you do not have a child at a Polaris MAT academy you may not be able to complain direct to the academy.

1.3. The trust or an individual academy is committed to resolving any complaints at the earliest possible 'stage' and the purpose of this policy is to address and resolve concerns and complaints. The aim of this complaint's procedure is to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be 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 by an independent person where necessary;
- respect confidentiality;
- address the concerns raised and provide an effective response and appropriate
- redress, where necessary;
- provide information to senior leaders about where improvements can be made.

1.4. For ease of reference a flow chart can be found in Appendix 7, which details the procedure for handling concerns and complaints.

1.5. There are separate procedures for complaints about:

- the provision of religious education and collective worship;
- the Local Authority's special needs assessments;
- allegations of child abuse;
- financial improprieties;
- other criminal activities;

2.0. Links with other policies or legislation

2.1. The Education, Skills and Funding Agency (ESFA) handles complaints about open academies and free schools. Before submitting a complaint to them, a complaint must be made directly to the relevant academy.

2.2. The trust or an individual academy must make available on request a procedure for dealing with complaints from parents of pupils and the procedure should be published on the academy's website. This procedure must comply with The Education (Independent Schools Standards) Regulations 2014.

2.3. Academies may choose to handle complaints from those who are not parents of pupils at the academy differently.

2.4. The trust or an individual academy is required to comply with their obligations under the Equality Act 2010, Data Protection Act 2018 and Freedom of Information Act 2000.

3.0 Raising a concern: Guidelines for dealing with concerns and complaints informally

3.1. The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the tutor, teacher, Head of Department / Director of Faculty, Achievement Manager, Achievement Leader, administration staff, Senior Leader, Head of School's PA, School Fianace / Admin Officer; etc.

3.2. Parents must feel able to raise a concern with members of staff without any formality, either in person, by telephone or in writing. On occasions, it may be appropriate for someone to act on behalf of a parent. At first, it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help to decide whether he or she wishes to take it further.

3.3. The academy will seek to ask the complainant at the earliest stage what they think might resolve the issue in order to find a satisfactory outcome for all parties.

3.4. The normal response time to these issues is for an initial response to be made within 24 hours. Where this is not possible, an explanation must be given for the delay and an acknowledgement of the contact on the day of the complaint through phone or via email.

3.4. Members of staff dealing with these concerns should record the nature of the concern and the steps taken to resolve the matter.

3.5. If the parent is not satisfied by the actions taken to resolve the issue, they should follow the formal complaints process.

4.0 Formal complaints

4.1. It is in everyone's interest that complaints are resolved at the earliest possible stage. The trust / academy has a six - stage formal complaint process shown in **Annex 7**.

4.2. As the Head of School has responsibility for the day-to-day running of the academy they have responsibility for the implementation of a complaints system, including the decisions about their own involvement at various stages. One of the reasons for having various "stages" in a complaints procedure is to reassure complainants that more than one person is hearing their grievance.

4.3 The Head of School will make arrangements to ensure that his/her involvement will not predominate at every stage of a particular complaint. If s/he is involved at stage 1, then stage 2 should be carried out by another senior leader.

4.4. Stage 1 – Complaint heard by a Teacher, Tutor, Primary School Finance / Admin Officer, or Achievement Manager.

4.4.1. Parents have an opportunity for discussion of their concern with the appropriate member of staff (as above) who clarifies with the parent the nature of the concern, and reassures them that the academy wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point, what sort of outcome the parent is looking for.

4.4.2. If the member of staff first contacted cannot immediately deal with the matter, s/he should make a clear note of the date, name, contact address and/or 'phone number.

4.4.3. Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure that the referral has been received by the intended member of staff.

4.4.4. On certain major issues, the Head of School may decide to deal with concerns directly at this stage.

4.4.5. If the concern relates to the Head of School, the parent is advised to contact the Chair of the Local Governing Body, via the Head of School's PA or the School's Finance / Admin Officer.

4.4.6. The staff member dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems to be the best way of making things clear.

4.4.7. Where no satisfactory solution has been found within 10 academy days, parents are asked if they wish their concern to be considered further. If so, they are given clear information about how to proceed.

4.5. Stage 2 – Complaint heard by an Achievement Leader, Director of Faculty (or in Primary) a senior teacher.

4.5.1. At this stage it has become clear that the concern is a definite complaint. In some cases the Assistant Head of School or senior teacher has already been involved in looking at the matter; in most cases, however, the complaint will be delegated to a middle leader to respond to.

4.5.2. The procedure at Stage 2, with more information regarding, who will be involved and the timescales for the process, is listed in Annex 1.

4.5.3. If a complaint is against the action of an Achievement Leader or Director of Faculty, the Head of School will designate a member of the SLG to investigate.

4.5.4. If a complaint is against the action(s) of the Head of School, the Chair of the Governing Body should carry out the Stage 6 procedures.

4.6. Stage 3 – Complaint heard by an Assistant Head of School

4.6.1 If the complainant indicates in writing that their complaint has not been addressed by the Achievement Leader or Faculty Director, the Assistant Head of School will carry out a review of the investigation and arrange to meet the complainant. In some cases, the Assistant Head of School may wish to interview pupils and staff, in order to gather more information.

4.6.2. After the formal meeting, the Assistant Head of School will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.7. Stage 4 - Complaint Heard by a Deputy Head of School (this section only applies to the secondary school's in the Trust)

4.7.1 If the complainant indicates in writing that their complaint has not been addressed by the Assistant Head of School, the Deputy Head of School will carry out a review of the investigation and arrange to meet the complainant.

4.7.2. After the formal meeting, the Deputy Head of School will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.8. Stage 5 – Complaint heard by the Head of School

4.8.1 If the complainant indicates in writing that their complaint has not been addressed by the Deputy Head of School, the Head of School will carry out a review of the investigation and arrange to meet the complainant.

4.8.2. After the formal meeting, the Head of School will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.9. Stage 6 – Complaint heard by the Local Governing Body Appeal Panel

4.9.1. If the complainant indicates, in writing, that they wish to appeal against the outcome of the investigation into their complaint, this is referred to an appeal panel.

4.9.2. It is important that this review not only be independent and impartial but that it is seen to be so. The review is the last stage of the internal complaints process and is not there to merely rubber stamp previous decisions. Therefore, the full Local Governing Body should not consider individual complaints as serious conflicts of interest can arise; for example, in exceptional circumstances a complaint may result in disciplinary action against a member of staff, and governors may be required to give an unprejudiced hearing to an appeal by the member of staff concerned. Similarly, some governors might have knowledge of the problem, which led to the complaint and would be unable to give unbiased consideration to the issue.

4.9.3. The hearing with a panel set up by the academy, comprising at least three people not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the academy. Governors can be sourced from other schools in the Trust to provide governors for the panel. Parents must be allowed to attend the panel and be accompanied if they wish.

4.9.4. Many complaints are inevitably seen by parents as being “against” a particular member of staff and their actions. However, all complaints that reach this stage will have done so because the complainant has not been satisfied at the earlier stages of the procedure. Therefore, it may be appropriate for the Local Governing Body to consider that the complaint is against the academy rather than against the member of staff whose actions led to the original complaint.

4.9.5. The procedure at Stage 6, with more information on who will be involved, and the timescales of the process are listed in Annex 5.

4.9.6. The written statement outlining the decision of the Panel must be sent to the complainant and Head of School. The letter to the complainant should explain whether a further external appeal can be made, and if so, to whom.

5.0. Serial and Persistent Complaints

5.1. The majority of people pursue their complaints about the academy in a way that is reasonable. This means that they treat others with courtesy and respect and, recognising the time constraints under which members of staff work, allow the academy a reasonable time to respond to a complaint.

5.2. However, occasionally, despite all ‘stages’ of the procedure having been followed, the complainant remains unhappy. It may be that the academy was not able to resolve all aspects of their complaint and, instead of moving on, the complainant repeatedly tries to re-open the same issue. It is a poor use of the academy’s time and resources to make substantially the same points.

5.3. If the correspondence or complaint is viewed as ‘serial’ or ‘persistent’, the academy may choose not to respond provided that the complainant has completed the procedure. The Chair of the Local Governing Body may inform them in writing that the procedures have been exhausted and the matter is now closed. There will be no obligation on the part of the trust or an individual academy to respond unless the complainant raises an entirely new, separate complaint which must be responded to in accordance with the complaints procedure and treated on its own merits. The academy will need to adopt a proportionate approach and

should not stop responding just because an individual is difficult to deal with or asks complex questions.

6.0. Roles and responsibilities

6.1. The role of the Head of School

6.1.1. The Head of School will ensure that staff are familiar with this policy and receive appropriate training in complaint handling.

6.1.2. The Head of School will assign a Middle Leader or a member of SLG to deal with formal complaints.

6.2. The role of the Local Governing Body

6.2.1. The Local Governing Body will monitor complaints (nature and level) to review any improvements to current Academy processes or systems.

6.2.2. The Governing Body will convene an Appeal Panel for complaints under Stage 6 of the policy.

6.3. The role of the employee/other staff

6.3.1. All staff should deal with complaints, queries or concerns from parents in a professional manner and in line with the timescales of this policy.

7.0. Monitoring and Evaluation

7.1. The Local Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and to make changes where necessary. Complaints information shared with the whole Local Governing Body will not name individuals.

7.1 It provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph e Part 7 of the Education (Independent School Standards) Regulations 2014. The written records will demonstrate:

(i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and

(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld)

7.2. As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to academy improvement. When individual complaints are heard, the Academy may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Academy and the Local Governing Body can be a useful tool in evaluating the academy's performance.

7.3. 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.

Annex 1 – Procedure at Stage 2

1. An Achievement Leader, Teacher or Finance Admin Officer acknowledges the complaint orally, or via email, within 5 academy days of receiving confirmation that the complaint is now to be dealt with at Stage 2. The acknowledgement gives a brief explanation of the academy's Complaint Procedure and a target date for providing a response to the complaint. This should normally be within 10 academy days; if this proves impossible, the leader communicates via email, explaining the reason for the delay and giving a revised target date.

2. The member of staff provides an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf, and that interpreting facilities are available if needed.

3. If necessary, the member of staff should interview witnesses and take statements from those involved. If the complaint centres on a student, the student should also be interviewed (ensuring that any written statements are written by the student). Pupils would normally be interviewed with parents / guardians' present. In some situations, circumstances may prevent this, e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a student has specifically said s/he would prefer that parent/guardians were not involved. In such circumstances, another member of staff with whom the student feels comfortable may be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.

4. The member of staff keeps written records of meetings, telephone conversations and other documentation. Once all the relevant facts have been established, the member of staff should then produce a written response to the complainant to discuss/resolve the matter.

5. A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the Academy will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Head of School within 5 working days of receiving the outcome letter. This letter must clearly state the reason for the escalation to the next stage of the process.

Annex 2 - Procedure at stage 3

1. If the complainant indicates in writing that their complaint has not been addressed by the member of staff, the Assistant Head of School will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant.

2. After the formal meeting, the Assistant Head of School will send a written response detailing the outcome of the meeting within 10 academy days of the meeting, as well as the formal minutes taken from the meeting.

Annex 3 – Procedure at Stage 4

1. If the complainant indicates in writing that their complaint has not been addressed by the Assistant Head of School, the Deputy Head of School will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant. If the complaint is centred on a Trust primary school, then the complainant should progress directly to stage 5.

2. After the formal meeting, the Deputy Head of School will send a written response detailing the outcome of the meeting within 10 academy days of the meeting, as well as the formal minutes taken from the meeting.

3. Upon receipt of a written request by the complainant for the complaint to proceed to Stage 4, the procedures outlined below should be followed.

Annex 4 – Procedure at Stage 5

1. If the complainant indicates in writing that their complaint has not been addressed by the Deputy Head of School, the Head of School will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant.

2. After the formal meeting, the Head of School will send a written response detailing the outcome of the meeting within 10 academy days of the meeting, as well as the formal minutes taken from the meeting.

3. Upon receipt of a written request by the complainant for the complaint to proceed to Stage 6, the procedures outlined below should be followed:

Annex 5 – Procedure at stage 6

1. The Head of School's PA should write to the complainant within 5 academy days to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint is to be heard by two members of the Governing Body and a **person independent of the management and running of the academy** (this can be a governing body member from another school within the Trust), within 20 academy days of receiving the complaint. No further written submissions are allowed after 5 academy days from the GB receiving the complaint.

2. The Head of School's PA or the Admin / Finance Officer should arrange to convene a Governors' Complaints Panel elected from members of the Governing Body. The Panel members should be governors who have had no prior involvement with the complaint and a person independent of the management and running of the academy. If s/he has not previously been involved, the Vice-Chair of the Governing Body should chair the Panel. If not, a Chair must be elected for this purpose. It is not appropriate for the Head of School to have a place on the Panel. Governors will want to bear in mind the advantages of having a parent (who is also a Governor) on the Panel. Governors will also be sensitive to equality issues.

3. The Chair of the Panel will ensure that the Panel hears the complaint within 20 academy days of receiving the letter. All relevant correspondence regarding the complaint should be given to each Panel member when the composition of the panel is confirmed at least 5 day before the hearing.

4. The Chair of the Panel will write and inform the complainant, Head of School, any relevant witnesses and members of the Panel at least 5 academy days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted.

5. The Chair of the Panel should invite the Head of School (or other SLG members who responded to the complaint at Stage 4), to attend the panel meeting and prepare a written report for the panel in response to the complaint. The SLG member may also invite members of staff directly involved in matters raised by the complainant to respond in writing, or in person, to the complaint. All concerned should receive any relevant documents including the Head of School's report, including the complainant, at least 5 academy days in advance of the meeting.

6. The involvement of staff other than the Head of School is subject to the discretion of the Chair of the Panel.

7. It is the responsibility of the Chair to properly delegate the taking of minutes for the hearing.

8. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the academy and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.

9. The Panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. It is therefore recommended that the Chair of the Panel ensure that the proceedings are as informal as possible.

10. The meeting should allow for:

- the complainant to explain their complaint;
- the Panel and/or the Head of School to question the complainant;
- the Head of School to explain the Academy's response;
- the Panel and complainant to question the Academy and/or other members of staff about the Academy's response;
- any party to have the right to call witnesses (subject to the approval of the Chair);
- final statements by both the complainant and the Head of School.

11. The Chair of the Panel will explain to all concerned that the Panel will now consider its decision, and a written decision will be sent to both parties within 10 academy days.

12. The Panel will then consider the complaint, and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c), where appropriate, suggest recommended changes to the academy's systems or procedures to ensure that problems of a similar nature do not happen again.

13. The written statement outlining the decision of the Panel must be sent to the complainant and Head of School. The letter to the complainant should explain whether a further external appeal can be made, and if so, to whom.

14. In the record and findings of the appeals panel meeting the Academy should ensure that it meets the demands of Part 7 of the Education (Independent School Standards) Regulations 2014:

It provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations:

- Provided to the complainant and, where relevant, the person complained about; and is available for inspection on the school premises by the CEO, LGB Chair and Head of School
  Provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph and—
  - whether they are resolved following a formal procedure, or proceed to a panel hearing; and
  - action taken by the school as a result of those complaints (regardless of whether they are upheld).

Annex 6 - Complaints about the Trust, CEO or Director of the Trust

If a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated. The CEO will write to the complainant acknowledging the complaint within 10 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 7 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 5 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 CEO 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.

Annex 7 – Referral to the Education Funding Agency

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 an academy. They will consider whether the academy 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

Annex 8 – Procedural Flowchart

Informal complaint	Discussion with member of staff	
Unresolved		
Informal complaint	Discussion with a Tutor, Teacher or Achievement Manager or Admin Finance Officer (Primary Schhols)	Resolved
Unresolved		
Formal complaint	Formal meeting with a Tutor, Teacher or Achievement Manager	Resolved
Unresolved	Formal meeting with a Teacher (Primary – Senior)	Resolved
Unresolved	Formal meeting with an Assistant Head of School	Resolved
Unresolved	Formal meeting with a Deputy Head of School (Primary Schools - go straight to Formal meeting with the Head of School)	Resolved
Unresolved	Formal meeting with the Head of School	Resolved
Unresolved	Refer to Annex 5 – Governors appeal panel	Resolved
	Refer to Annex 6 – Secretary of State	

Annex 9 – Exceptions to the policy

This complaints policy covers all complaints about any provision of facilities or services that the academy provides with the exceptions listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
• Admissions to academy • Statutory assessments of Special Educational Needs (SEN) • Academy re-organisation proposals • Matters likely to require a Child Protection Investigation	Concerns should be raised directly with local authorities (LA). For academy admissions, it will depend on who is the admission authority (either the academy or the LA).
• Exclusion of children from academy	Complaints about the application of the behaviour policy can be made through the academy's complaints procedure as outlined in the complaints policy. Further information about raising concerns about exclusions is available in the Academy discipline and exclusion guidance.
• Whistleblowing	There is a whistleblowing procedure for employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers who do not want to raise matters direct with their employer. Concerns can be raised with DfE using our contact form. Volunteers who have concerns about academys should complain through the academy's complaints procedure. Depending on the substance of the complaint they may also be able to complain to: • the local authority • DfE using a contact form https://www.education.gov.uk/contactus Complaints about how a academy is run may also be made to Ofsted https://contact.ofsted.gov.uk/online-complaints
• Staff grievances and disciplinary procedures	These matters will be dealt with under the trust's employment policies and internal procedures.
• Complaints about services provided by other providers who may use academy premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.