



**BrightTribe**  
learn grow prosper

## **ALAT and Bright Tribe Trust Gulval School**

### **Complaints Procedure**

October 2016





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## 1. Mission Statement

**Adventure Learning Academy Trust (ALAT) AND Bright Tribe Trust (Bright Tribe) brings a new energy and approach to providing the best education for our students.** Through proven practices, ALAT / Bright Tribe will transform the learning of students, raise standards and provide the highest quality learning environments, enabling students and teaching staff to thrive and be the best. ALAT / Bright Tribe's aim is to break down the barriers that limit educational progress. We do this through adopting a personal learning pathway for every child – one that takes account of individual needs, aspirations and talents.

ALAT / Bright Tribe's values:

### Learn

Provide the best education for every student.

Ensure the highest quality teaching and learning.

Work with the family, parent or carer.

### Grow

Grow our students' futures.

Develop the best teaching staff.

Provide the best learning environment and supporting technology.

### Prosper

Lead the way in education.

Realise the opportunities.

Be connected to the community.

## 2. Principles and Values

ALAT/Bright Tribe take seriously any concern or complaint, as we believe that tackling issues at the earliest possible stage will improve our school, enhance learning, prevent issues escalating and reduce the number of formal complaints.

We will ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and confidentially. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare to ensure that all pupils are able to learn. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

## 3. Objectives of this Procedure

This procedure covers most complaints that the ALAT/Bright Tribe School is likely to receive from parents and pupils, except those for which there is an alternative process such as:

- Complaints regarding special needs assessments – for which parents have a right of appeal via an SEN Tribunal
- Concerns about Admissions or Exclusions – for which parents have a specific right of appeal to the Academy Board
- Allegations of child abuse – which are dealt with through the Child Protection Policy
- Complaints raised by staff members – which are dealt with through the Grievance Procedures.

Where there are established statutory and other procedures for dealing with a complaint, these will be followed. These guidelines therefore do not cover those matters for which such a procedure already exists such as:

- Admissions to schools

- Exclusions from school
- Special Educational Needs Provision
- School re-organisation
- Matters concerned with the school curriculum
- Serious complaints against school staff
- Child Protection issues
- Public examinations.

### **Extended Services**

It is also recommended that the Academy Principal ensures that any third party providers offering community services or facilities through the school premises or using school facilities (even if it is hiring it out for a function or meeting) have their own complaints procedures in place.

### **Underlying Principles**

Complaints should be treated seriously and courteously and given the time they require to be heard. It is important to the school that complainants have confidence in these procedures and know that their case will be investigated impartially.

Complainants should be advised at the earliest possible stage about:

- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it
- The way in which the complaint is likely to be handled

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The key to guaranteeing a successful outcome is to ensure that the correct procedure is followed from the outset. If Principals are unsure of the procedure to be followed, the flow chart towards the end of this guide should be consulted. In addition, ALAT/Bright Tribe should be contacted for further information and advice. It may well be the case that action taken under the complaints procedure may lead to action being initiated under other, for example statutory, procedures. In these instances, the investigations under the complaints procedure should be suspended until action under other (including appeals) procedures has been concluded. The complainant should be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. The complainant should also be advised of any likely delay in the final resolution of the complaint that will result.

### **Definition of a Complaint**

For schools, the definition of a complaint within the terms of the procedures described here is an expression of dissatisfaction verbally or in writing by parents or carers of children who attend the school, or from neighbours of the school or school community affected by the services the school provides.

After initial investigation of a complaint, a decision may well be made to use the discipline, capability, or other appropriate procedure.

Anonymous complaints will not normally be considered under the procedure set out here.

The procedure set out in the following pages outlines the stages both formal and informal through which a complaint made against the school will proceed. At all stages, the aim is resolution to the satisfaction of both

parties and a mutual understanding of the problems believed to exist in order that improvements can be made where necessary.

**Where agreement and resolution cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly and equitably.**

**Conciliation or mediation between school and complainant can be considered at any time within the informal or formal stages as set out in this guide. ALAT/Bright Tribe can be contacted at any appropriate stage for advice and guidance.**

## 4. General Principles

### 4.1. Publicity

Parents and carers should always know how they can raise concerns or lodge a formal complaint. Complaints procedures should be easily accessible and well publicised.

A summary of how the school deals with complaints should be included in the information that is given to parents when their children join the school.

Schools should also prepare leaflets for parents explaining how problems are dealt with and how the complaints procedures work.

Consideration should be given as to whether the procedures need to be made available in languages other than English and whether audio-cassette, Braille or large-print versions are necessary.

It is good practice to advise parents and carers at regular intervals of the procedures.

### 4.2. Accessibility

Procedures should be as speedy as possible, consistent and fair to all concerned. Each stage of the procedure should have known time limits. Where it is not possible to meet these, the complainant should be kept informed of progress.

### 4.3. Support for complainant

It is important that parents and carers know that at any stage of the procedure they can be accompanied by a friend, relative or representative and to know where they can go for information, advice, and advocacy, if required.

### 4.4. Support for a person complained against

Staff who may be questioned as part of the investigation of a complaint must feel that they are being treated fairly, that they will have the opportunity to put their case and that a friend or representative may accompany them at any stage. There is a crucial balance to be maintained between supporting the individual so that his/her rights are maintained and reputation protected, and investigating a complaint thoroughly and impartially.

The complaints procedure is distinct from formal disciplinary proceedings for staff and this will need to be made clear to all concerned. However, there may be occasions where a complaint leads to a disciplinary procedure which puts the complaints process on hold. If so, the complainant should be informed of this, without going into details, and updated regularly on likely further delay. After the disciplinary process is completed it will be necessary to decide what further response to the complainant is required.

#### **4.5. Confidentiality**

It is very important to treat all concerns and complaints with discretion. It is vital that parents and carers feel confident that their complaint will not penalise their child. However, a complainant will need to be aware that some information will have to be shared with those involved in order that the complaint can be investigated.

It is usual to disregard anonymous complaints, but the danger is that they may relate to something serious and the complainant may subsequently surface and say that he/she alerted the school. It should be at the Principals discretion to decide whether the gravity of an anonymous complaint warrants an investigation.

#### **4.6. Redress**

If the outcome of the complaints procedure shows the school is at fault, it is often sufficient to provide redress in the form of an acknowledgement that the complaint is valid. Alternatively, it may be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaking to review school policies or practices in the light of the complaint, or, in appropriate circumstances, financial compensation. Fear of litigation should not prevent a school from admitting to parents when mistakes have been made, but it is recommended that advice be sought from ALAT/Bright Tribe if it is possible that the parent might take legal action.

#### **4.7. Staff Awareness and Training**

All staff should be aware of the procedures, as potentially many will be involved with handling complaints, especially at the informal level. To be confident in doing so depends on them having clear information about the procedures, reassurances that senior staff are committed to the procedures and some basic training in dealing with people who are upset or angry. All staff should also have clear information about which staff have which responsibilities so that parents do not get continually passed from one to another.

#### **4.8. Record Keeping**

Complaints should be recorded and monitored regularly by staff. It is recommended that recording should begin at the point when an initial concern or complaint cannot be resolved immediately but needs some investigation and/or consultation with others in school and a subsequent report back to the parent. Recording at the earliest stage need only be a very basic record of the complaint, giving the date, name of parent and general nature of the complaint. A pro-forma or a 'comments and complaints' book could be used.

### **5. Vexatious Complaints**

This procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the Executive Principal of the ALAT/Bright Tribe School is able under this procedure to inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **6. A Staged Approach**

This procedure describes a four stage procedure:

- Stage 1 - informal raising of a concern or complaint notified orally or in writing to a member of staff
- Stage 2 - formal complaint in writing to the Principal
- Stage 3 - renewed complaint in writing to the Executive Principal
- Stage 4 - complaint heard by a panel

### **Stage 1: Concern or complaint heard by Staff Member (Informal)**

Where a concern or complaint arises, the first reference should be to the class teacher. In most cases the concern can be satisfactorily resolved at this stage. If, however, the issues raised require further enquiries, the class teacher will make such enquiries and report back to the complainant either verbally or in writing within 5 working days. The Principal should be informed of every complaint even if it is resolved at this stage.

If following this informal process, the complainant is not satisfied with the response, the matter should be referred through the formal process.

(Please see Appendix 4 – Complaint Form)

### **Stage 2: Complaint in writing to the Principal (Formal)**

- This stage in our procedures deals with written complaints, where the complainant is not satisfied with the outcome of Stage 1 above. Normally, written complaints should be addressed to the Principal using the Complaints Form at Appendix 2. If, however, the complaint concerns the Principal personally, it should be sent to the Executive Principal for the Academy region.
- Acknowledgement of written complaints will be made, in writing, within 5 working days. This will include details of what will happen next, the timescales involved and the person who will be in charge of progress of the complaint.
- As part of the investigation, the complainant may be invited to meet with the Principal (or person in charge of the complaint) to discuss the detail of the complaint. If desired, the complainant may be accompanied by a friend/advocate. Written records will be kept of meetings and telephone conversations during the investigation.
- The person who has been nominated to carry out the investigation will inform the complainant and, where applicable, the person who is the subject of the complaint in writing, of the outcome within 10 working days. This will include a full explanation of the decision reached and the actions, where appropriate, that the academy will take / has taken to resolve the complaint. The complainant will be offered the opportunity to discuss the response to the investigation. If the complaint is unlikely to be fully investigated within the 10 working day timeframe, a further written acknowledgement will be sent to the complainant detailing the progress to date and providing a revised target date for a full response.
- If the complainant refuses the offer of a meeting, a response will be provided based on available information only, or the Principal may consider the complaint to be unsubstantiated by reason of non-attendance.
- All documentation with regard to the investigation and its outcome will be retained on the premises and treated as confidential, held by the PA to Principal, and will be available on request for inspection by the Executive Principal and the Principal.

(Please see Appendix 3 – Acknowledgement Letter)

### **Stage 3: Complaint in writing to the Executive Principal**

If a complaint remains unresolved notwithstanding the previous stages detailed, a letter should be sent to the Executive Principal (or Director of School Improvement if appropriate) detailing all concerns/complaints for consideration.

If a complaint has been referred directly to the Executive Principal and the preceding stages have not been followed, the Executive Principal may refer the complainant to preceding stages of this procedure or ask the Principal to undertake an investigation in the first instance.

The Executive Principal may offer to meet with the complainant to discuss their concerns. The Executive Principal will review any previous investigation and/or the Principal's decision. The Executive Principal may:

- confirm the Principal's decision
- reach a different decision regarding the whole or part of the complaint
- seek an investigation or further investigations relating to part or the whole complaint.

The Executive Principal may seek advice as needed from the Trust's HR Advisors.

The Executive Principal's written decision will be provided as soon as is reasonably practical to do so. If the complainant remains dissatisfied, they will be referred to the Appeal Stage (Stage 4).

#### **Stage 4 – Complaint heard by a panel of ARC Governors**

The Appeal Hearing is the last academy based stage of the complaints process. If the complainant has exhausted Stages 1- 3, the Chair will ask the Clerk to Governors to convene a Complaints Committee Meeting so that the complaint can be considered.

The Committee will consist of 3 ARC Governors who have not previously been involved in matters detailed in the complaint. If it is considered necessary, the Chair of the Committee may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties no later than 3 working (school) days prior to the meeting.

A complainant may be accompanied to the meeting by one other person. This may be a relative, colleague or friend. Legal representation will not normally be considered appropriate at this stage. Notice must be given to the Clerk to Governors, of a complainant's intention to be accompanied, including the name of the person attending and their relationship to the complainant. Details of any witnesses must also be provided ahead of the meeting. Where possible, the meeting will look to resolve the complaint immediately, without the need for further investigation. However, if after hearing all parties relevant to the complaint, the Committee considers further investigation is required, the Committee will decide how this should be carried out and the meeting may be adjourned to a later date to allow such investigations to be conducted. After due consideration of all the facts considered relevant, the Committee will reach a decision and may make recommendations. The written decision of the Committee, together with its reasons, will be issued to the complainant. The Committee's decision will be final. The complainant will have no further right to appeal this decision within the school.

#### **Additional Information**

Before complaining to an external body it should be noted, that it would usually be expected that all stages of this procedure have been exhausted.

The school reserves the right to reject frivolous or vexatious complaints at any time. The Office of the Independent Adjudicator has defined frivolous or vexatious complaints as follows:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose of value.

**Parents may contact:**

Anne-Marie Winter  
Attendance, Policy and Procedure Director  
Bright Tribe and ALAT Trust  
Kings Reach  
Yew Street  
Stockport  
SK4 2HD

If a complainant believes Governors have acted unreasonably, a complaint can be made in writing to the Secretary of State for Education and will be dealt with by the Education Funding Agency.

Ofsted has powers to investigate certain types of complaint from parents to help decide whether to inspect a school.

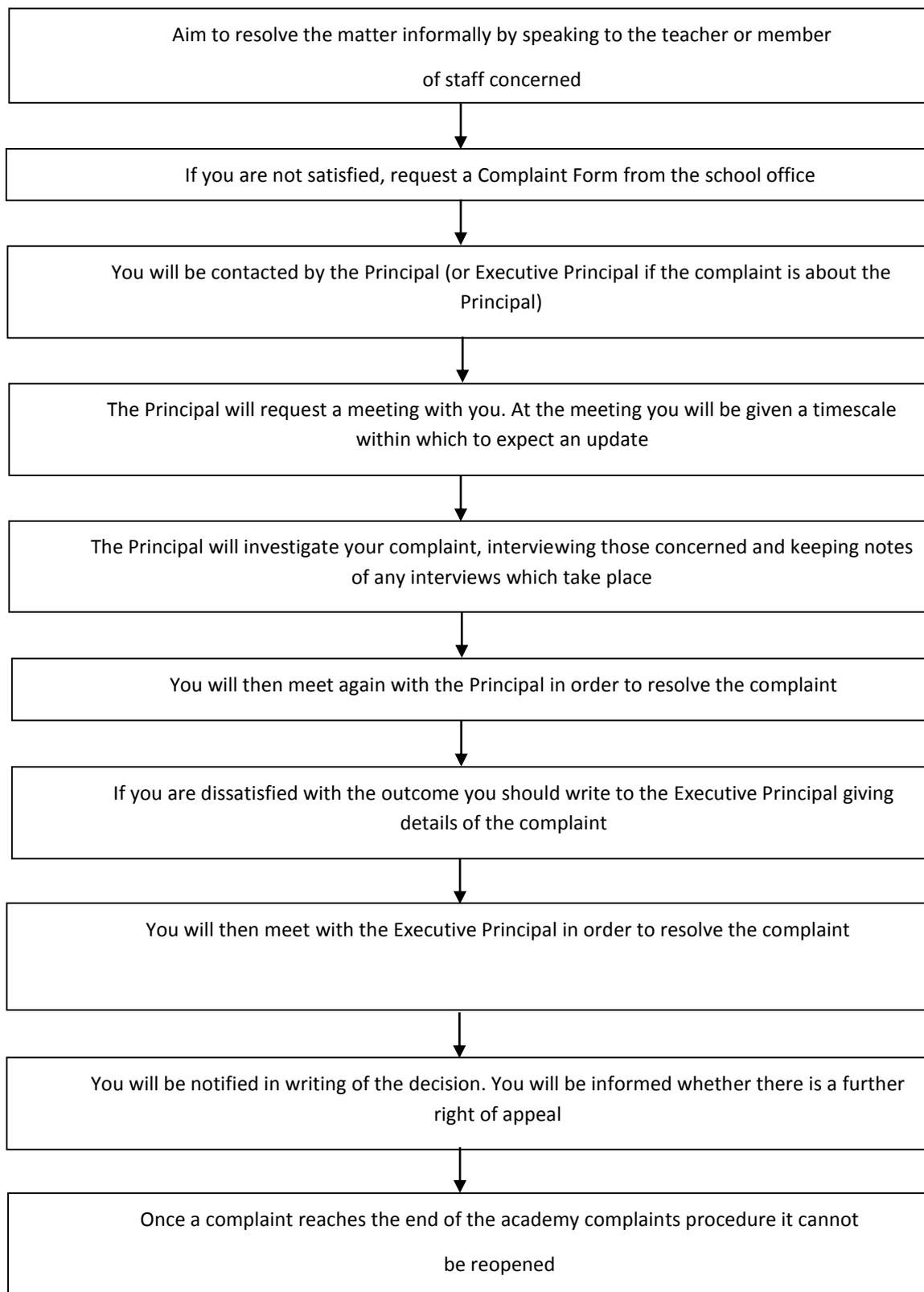
The Parent Partnership Service assists parents/carers whose children have difficulties with learning, medical needs, or mental health problems. The service is confidential and offers impartial advice and information to enable parents/carers to make decisions about their child's education. This includes supporting parents with complaints to schools. The telephone number is, 01829 742997.

## Appendix 1 – Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing should be as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses
- The Principal may question both the complainant and the witnesses after each has spoken
- The Principal is then invited to explain the academy's actions and this is then followed by the academy's witnesses
- The complainant may question both the Principal and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Principal is then invited to sum up the academy's actions and response to the complaint
- Both parties leave together while the panel discusses the issues and reaches its decision
- The Chair of the panel explains that both parties will hear from the panel within a set timescale

## Appendix 2 – Flowchart, Summary of Stages of Complaints Procedure



## Appendix 3 – Acknowledgement Letter

The following letter should be used as a Stage 1 Acknowledgement Letter by the Principal

Address Line 1  
Address Line 2  
Address Line 3  
Address Line 4  
Address Line 5  
Post Code

Reference

Date

Dear Addressee

### Your recent complaint

I have received your formal complaint dated [date]. Thank you for bringing this to my attention.

### Include the following paragraphs below if a meeting with the complainant is required/ desired

The Academy and the Trust take any complaint very seriously. Therefore, I would like to meet with you as soon as possible so that I may understand the details of your concerns more clearly. Following this I will be in a better position to fully investigate these. You are welcome to bring a friend to the meeting, if you would find this helpful.

Please telephone in order to arrange an appointment. Currently I can offer you an appointment at [time] on [date] but please let my/the school secretary know if this is convenient.

### Alternatively, where no meeting is required include the following paragraph

The Academy and the Trust take any complaint very seriously. Thank you for providing clear and full details of the event which triggered your concerns. If you feel the need to meet with me to clarify these further please contact my/the school secretary to arrange a time, this should be as soon as is convenient.

### Final paragraph

I will aim to resolve your complaint quickly, however please be assured I shall be fully investigating this matter. I will then write to you regarding the outcomes of this and my conclusions as soon as possible.

This should be by [date –as soon as possible and no more than 14 academy days of the date of the complaint] at the latest. If for any reason this is delayed I will let you know.

Yours sincerely

Principal

## Appendix 4 – Complaint form

Your name:

Pupils name:

Your relationship to the pupil:

School:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already 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?



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**Adventure Learning Academy Trust**

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