



# Complaints Policy 2021

Adopted by the Board of Directors  
Of Star Academy Trust on

<b>Approved by:</b>	Trust Board	<b>Date:</b> February 2021
<b>Last reviewed on:</b>	November 2017	
<b>Next review due by:</b>	February 2024	

# Highfields Academy

## 1. Introduction

*We aim to make our complaints procedure easily accessible and well published. Our policy is clear and transparent; this will enable complaints, depending on the gravity and complexity, to be dealt with efficiently and as quickly as possible.*

*This policy has been developed using DfE guidelines. The policy has been approved and ratified by the Trust Board of Star Academy Trust.*

## 2. Scope of the Procedure

This procedure covers all complaints against the school by external persons/parties which do not have an alternative statutory avenue of appeal or complaint.

There are certain complaints which fall outside the remit of this complaint's procedure, for example, staff grievances or disciplinary procedures.

The Trust Board expects parents to raise a concern as soon as possible after an incident arises, or within 3 months, unless there are exceptional circumstances.

## 3. General Principles

Complainants will be informed of the outcome of their complaint, except where this is confidential, e.g. in the case of a staff disciplinary process. Every effort should be made to resolve complaints in a non-confrontational and informal way.

The timescales within this procedure should be adhered to as far as is reasonably practicable. Where this is not possible the complainant should be informed, within the specified timescale, as to why this is the case, and given a revised timescale for dealing with the complaint.

The Board should ensure that they have appropriate arrangements for recording complaints and the way in which they are resolved. Further, they will regularly (at least annually), monitor the nature and level of complaints, so as to best ensure the effectiveness of the procedure, and consider any underlying issues the school may need to address, including whether specific actions identified as outcomes of complaints have been addressed.

Advice on the operation of the procedure may be sought from external sources if deemed appropriate.

## **Resolving Complaints**

At each stage in the procedure schools will want to consider the ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

At each stage complainants should be asked to state what actions they feel might resolve the issue. An admission that the school could have handled the situation better is not the same as an admission of negligence.

## **5. Frivolous or Vexatious Complaints**

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 or value.

An 'unreasonable manner' may include situations where the complainant's frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the Principal and school to meet the needs of all pupils equitably.

Where the Principal, the Chair of Trust Board or Chair of the LAB judges a complaint to be frivolous or vexatious, having considered all the relevant circumstances, s/he should take appropriate action which may include rejecting the complaint and/or restricting contact between the complainant and the school.

The Principal, Chair of Trust Board or Chair of the LAB as appropriate should write to the complainant and explain this decision and the reasons for it, and what action will follow.

Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure the Principal, Chair of Trust Board or Chair of the LAB has the right to inform him/her that the procedure has been exhausted and the matter is closed.

## **6. Stages of the Procedure**

Many concerns and minor complaints can be resolved quickly and informally. There are many occasions where issues are resolved immediately through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances every effort should be made by the school to have a full discussion with the complainant before moving into the stages of this procedure.

If the complaint is not resolved informally then the following process will be applied:

### **Stage One**

If the complaint is not resolved through such discussion with the class teacher/other staff member, the complainant should write to the Principal setting out the complaint formally.

The Principal will then arrange a meeting with the complainant to discuss the detail of their complaint and may be accompanied by an external consultant.

The meeting will be arranged with the complainant to discuss concerns raised within ten school days of receiving the complaint, or as soon as is reasonably practicable.

Where necessary the Principal, or other nominated member of staff or external consultant, should carry out a full investigation into the issues raised. The Principal will give a written response to the complainant as soon as possible but, in any case, within ten school days of this meeting. Where the complainant refuses the offer of a meeting this response should be made, based on the information available at the time, within ten school days of the receipt of the written complaint.

Where the complainant is dissatisfied with this response, the complainant should move to the Appeal stage of this procedure.

Where the complaint is against the Principal, the Chair of the Trust Board, or the Chair of the LAB the complaint will move directly to the stage two of the procedure.

### **Stage Two**

If the complaint is about the Principal or Chair of the LAB or the Chair of the Trust Board: Either the Principal or the Chair of the LAB or the Chair of the Trust Board, whoever has not been involved in the complaint along with another member of the Trust Board/LAB and an external consultant if needed should offer to meet with the complainant to discuss his/her concerns within ten school days of receipt of the complaint, or as soon as is reasonably practicable after this. Where the complainant refuses the offer of a meeting this response should be made, based on the information available at the time, within ten school days of the receipt of the written complaint. Where the complainant is dissatisfied with this response, the complainant should move to the Appeal stage of this procedure.

## **Appeal Stage**

If the complainant wishes to appeal against the decision made at stage one or stage two the complainant must indicate their intention to do so within ten school days of receipt of the outcome.

The complainant should do this by sending a written appeal to the Chair of the Trust Board or as indicated in their outcome letter. This should state the original complaint and the reasons for on-going dissatisfaction and the grounds for the appeal.

The Complainant must also provide any supporting information and evidence to assist the appeals panel.

The appeals panel should be convened, consisting of three Trustees/Members of the LAB who have had no previous involvement in consideration of the complaint and an external consultant if needed. The Chair of the Stage 2 investigation will ensure that all evidence/witness statements that were previously available during the initial investigation are made available to the appeals panel.

The meeting of the appeals panel should take place as soon as possible, but in any case, a date should be set and communicated to the complainant within twenty school days of receipt of the appeal.

The Appeal panel should invite the complainant to attend the meeting to discuss his/her concerns. The complainant may be accompanied by a friend, partner or other parent of the school acting in the capacity for support only. The complainant will not be entitled to be accompanied by any legal representation. Where the complainant refuses the offer to attend the meeting the appeal panel's response should be communicated in writing to the complainant as soon as possible, based on the information available at the time, within ten school days of the meeting.

The complainant will have no further right to appeal this decision within the school.

## **Opportunities to Request a Review:**

### **Complaining to the Secretary of State**

If a complainant believes that the Trust Board/LAB has acted unreasonably s/he can complain in writing to the Secretary of State for Education. For Academies complaints to the Secretary of State are dealt with by the Education Funding Agency.

### **Complaining to Ofsted**

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

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

## **8. The Role of the Parent Partnership Service**

The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs, or mental health problems, from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but does not speak on behalf of or make decisions for the parent. The service also offers support after meetings have taken place to consider the conclusions of the meeting and if the parent feels a satisfactory outcome was achieved. If not, the parent may have further options to consider.

Contact details for the service are 0300 123 5166 [Parentpartnership@cheshire.gov.uk](mailto:Parentpartnership@cheshire.gov.uk)