

JOHN TAYLOR MULTI ACADEMY TRUST



Compliments, Comments and Complaints Policy and Procedures for Parents

Implementation date: January 2020

LGB procedures: No

For overall summary of the Process see flow chart on page 10 (Appendix C)

1.This policy covers compliments and complaints of a general nature raised by parents. The purpose of this policy is to establish a procedure for dealing with complaints relating to the school as required by section 29(1)(a) of the Education Act 2002. In addition, this policy outline show parents can express support for the school via a compliment, or make a suggestion to the school in the form of a comment.

At John Taylor MAT we are committed to providing a high quality service for all pupils.

2. For **pupils** in our schools, there are a diversity of ways in which they can compliment, comment and complain about any aspect of their provision. This variation is determined by the pastoral systems present in the school (e.g. Head of House systems, Head of Year systems) and the importance of age appropriate structures that allow children of all ages to engage in a manner that makes them feel comfortable, safe, empowered and heard.

3.Typically, our schools will regularly undertake pupil voice activities that should generate quantitative information (e.g. questionnaires and surveys) and qualitative information (e.g. group workshops, school and group councils, 'exit' interviews for school leavers).

4.The outcomes of this information should be shared with the local governing body and other stakeholders – including the pupils themselves – together with any responses to the issues that school would wish to share. This is particularly relevant when the school will look to amend its provision as a result of feedback, or introduce a new initiative or approach.

We would like to hear from parents/carers if:

- they are happy with the service we provide and would like to compliment the staff and pupils;
- they have any suggestions about how we can improve the quality of our provision – at school or Trust level
- they have complaints relating to the actions of staff and application of school procedures where they affect individual pupils, **except** matters directly related to a particular exclusion, child protection, special needs statementing or an admission issue, all of which are dealt with under separate procedures; details of these procedures are available from the individual schools.
- they have a complaint. All complaints will be taken seriously and given full and proper consideration. Where things go wrong, we aim to resolve complaints wherever possible without the need for a formal, written complaint.

Expressing approval or making a comment

6.When things go well, it is helpful if parents express their approval. Maintenance of high levels of staff commitment, morale and motivation are important in ensuring the provision of the best possible education for all pupils. Parents can express their approval or make a comment or suggestion through a telephone call, email, in writing (see form at Appendix A)or by speaking personally to staff concerned or the Headteacher/Head of School or the CEO of the Trust.

Complaints: Definitions and scope

7.For the purpose of this policy, a "complaint" can be defined as an 'expression of dissatisfaction' which can be regarding actions taken or a perceived lack of action.

- Complaints can be resolved formally or informally dependent on the complainant's choice.
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- Any complaint will be taken seriously, whether formally or informally, and the appropriate procedures shall be taken.

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- For the purpose of this policy, "school" refers to any school within the John Taylor Multi Academy Trust.

Scope: All matters relating to the actions of all staff and applications of school procedures, except matters relating to student exclusions, admissions, staff discipline, staff grievance – all of which are subject to separate procedures.

Raising a complaint – informal stage.

8. In the first instance parents should raise their complaint with the most relevant member of staff. It is anticipated that at this stage the complaint would be raised verbally or in writing e.g. email. If the Headteacher/Head of School is contacted at this stage it is likely that the complaint will be passed to an appropriate member of staff for them to respond because they have a particular responsibility or are familiar with the circumstances of the complaint. Response from an appropriate member of staff would be within ten school working days as a maximum, but ideally the school would wish to expedite possible resolutions as soon as possible. Most complaints will be successfully resolved at this stage. The member of staff spoken to will refer it to a more senior colleague, who will take appropriate action. In all cases it will be anticipated that the member of staff will inform their line manager of the complaint and the outcome.

Please note that anonymous complaints cannot be resolved as any complaint involving children can only be discussed with an individual's parents/carers..

Making a formal complaint

Step 1 - the Headteacher/Head of School

9. If the parent/carer is not satisfied that their complaint has been resolved informally then they should inform the Headteacher/Head of School either by telephone, by email or in writing that they wish to make a formal complaint. The Headteacher/Head of School will then take appropriate action and respond in writing with a summary of the action taken within 10 school days.

10. Any complaint should be brought to the attention of the school at the earliest opportunity. Any matter raised more than 3 months after the event will only be considered in exceptional circumstances although records will be kept on file for later reference

11. Possible outcomes for a complainant at this stage may include:

- a. There is insufficient evidence to reach a conclusion so the complaint cannot be upheld.
- b. The complaint is not substantiated by the evidence.
- c. The matter has been investigated fully and substantiated in part or in full and the appropriate action has been taken. Where appropriate, this action will be communicated to the complainant. Should the action include staff disciplinary procedures, details will not be shared with the complainant.

After consideration of the complaint by the Headteacher/Head of School, the matter is now concluded. If dissatisfied with the outcome, the complainant may consider taking the complaint to Stage 2.

12. If the complaint is directly about the Headteacher/Head of School, it should be referred to the Chair of Governors through the school's Clerk to Governors. The Chair of Governors will respond within 10 working days). If the complaint is about a governor of a Local Governing Body, it should be referred to the Chair of the MAT through the Trust's Clerk.

Step 2 – the Local Governing Body

13. In the unlikely event that the Headteacher/Head of School cannot resolve the issue to the satisfaction of the parent then the complaint can be made, in writing (including email), to the Local Governing Body. This can be done by writing to the Chair of Governors at the

school address or via email to the Clerk to the Governors (the address of which appears on the school's website). The panel hearing will take place within 10 school days of receipt of the complaint to the governors. There is a form which parents can choose to fill in for this purpose. (see appendix A) if this is easier.

14. The Panel will consist of at least three people (typically governors) not directly involved in the matters detailed in the complaint, one of whom will be completely independent of the management and running of the school. The independent panel member will be a member of another Local Governing Body within the Trust. The parent/s may attend the panel hearing and be accompanied if they wish. The Headteacher/Head of School will attend the panel and may be accompanied if they wish. All information shared with the panel will be shared with the complainant also. The panel will make findings and recommendations with a copy of the outcome information being provided to the complainant and, if relevant, the person complained about. Minutes will be taken by the Clerk to the Governors and will be available on request. The outcome information will be available for inspection on the school premises by John Taylor MAT and the Head of School/Head Teacher. Written records will be maintained of all complaints including details of how they are resolved, and the action taken by the school as a result of the complaint. Records relating to individual complaints will remain confidential except under certain circumstances including Secretary of State request and inspection. (Records relating to complaints will remain confidential for the current year + 6 years, if negligence is involved the term will be the current year + 15 years and for child protection or safeguarding issues the term will be the current year + 40 years).

15. You will receive a written response from the governing body, via the clerk, within 10 school days.

Step 3 – John Taylor MAT

16. If the parent/carer is not satisfied that their complaint has been considered properly and reasonably by the Local Governing Body, then this issue can be raised with John Taylor MAT. However, it should be noted that John Taylor MAT will not, unless circumstances are truly exceptional, overturn a decision of the Local Governing Body when due process has been applied. It is important to realise that this is not a general right for any parent who disagrees with the governors' decision.

17. Parents/carers should write to the Chair (or email the clerk via office@jtmat.co.uk) of John Taylor MAT, C/o John Taylor Free School, Branston Road, Tatenhill, Burton on Trent, DE13 9SA. A panel hearing will take place within 10 school days of receipt of the formal complaint. There is a form which parents can choose to fill in for this purpose. (see appendix A)

18. The Panel will consist of at least three Directors of the Trust who will have no prior knowledge of the matters detailed in the complaint. The focus of attention for the panel will be to consider any issues presented that relate to the process by which the complaint was considered by the school. The complainant should not seek to present new information, or have the details of the complaint re-heard.

19. The Headteacher/Head of School and/or Chair of the Local Governing Body may also be invited to provide them with an opportunity to respond. The parent/s may attend the panel hearing and be accompanied if they wish. The panel will make findings and recommendations with a copy of the outcome information being provided to the complainant and, if relevant, the person complained about. The outcome information will be available for inspection at JTMAT Head Office by the proprietor and the Head of School/Head Teacher. Written records will be maintained of all complaints including details of how they are resolved, and the action taken by the school as a result of the complaint. Records relating to individual complaints will remain confidential except under certain circumstances including Secretary of State request and inspection. (Records relating to complaints will remain confidential for the current year + 6 years, if negligence is involved

the term will be the current year + 15 years and for child protection or safeguarding issues the term will be the current year + 40 years). This information will not be used at detriment to the student when leaving or applying for college/university.

20. You will receive a written response from the Trust, via the Trust clerk, within 10 school days.

Compliments and Complaints relating to Employees of John Taylor MAT's Core Team

21. JTMAT includes employees whose work is not directly connected with one school. Should a parent wish to make a comment or compliment that relates to a colleague from the JTMAT Core Team, this can be done by emailing office@jtmat.co.uk

22. Regarding complaints, the process above is replicated at Trust level for the informal stage, and Stages 1 and 2.

23. To seek redress informally, the complainant should contact the most relevant member of staff. The CEO or COO may seek to attend to the matter at this stage. At Stage 1, the CEO will look to address the matter with the complainant. If the issue relates to the actions or conduct of the CEO, it will be referred to the Chair of the Trust Board. Should a resolution not be achieved, and the complainant wishes to pursue the matter further, a panel of directors, supported by an independent and external colleague, will be constituted as per Stage 2.

24. As the issue is already residing at Trust level, Stage 3 of the complaints process is inapplicable. In this context, should a complainant remain dissatisfied with the outcome at Stage 2, their final opportunity for redress will rest with the ESFA - see Step 4 below. As stated in that section, the ESFA will focus on whether the Trust (in this instance) has followed the correct procedure in the management of the complaint.

Investigating Complaints

25. At whatever stage, the person investigating the complaint should:

1. Establish **what** has happened so far, and **who** has been involved;
2. Clarify the nature of the complaint and what remains unresolved;
3. Clarify what the complainant feels would put things right;
4. Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;

26. Any person interviewed as part of an investigation is entitled to be accompanied by a friend or representative and/or a translator, and is entitled to agree to any notes taken, particularly if the investigation is part of the formal process

27. The Trust has a separate process for the management of complaints that it considers to be vexatious in nature. (see Vexatious Complaints Policy)

Resolving Complaints

28. At whatever stage, the person dealing with the concern or complaint should endeavour to find a resolution, but obviously this will depend on the nature of the concern or complaint and what the complainant wants.

29. It is also of equal importance to clarify any misunderstanding that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

30. Complainants should be encouraged to state what actions they feel might resolve the problem at any stage – though this should be on the understanding that it may not be possible or reasonable to deliver them.

31. It may be appropriate and sufficient to acknowledge that the complaint is valid in whole or in part – an admission that the school could have handled the situation better is not the same as an admission of negligence.

32. In addition, it may be appropriate to offer one or more of the following:

- an expression of regret for any distress, etc.
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that every effort will be made to ensure that the event complained of will not recur;
- an explanation of the steps that have been taken to try to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

33. Use of the formal procedures means that all attempts at an informal resolution of the concern have failed; resolution will then depend upon any recommendations based on the judgements made from the evidence uncovered in the investigation.

34. Of course, an investigation may find no evidence for the complaint or that the complaint is otherwise groundless.

Step 4 The Role of the Education and Skills Funding Authority.

35. Should the complainant still remain dissatisfied with the outcome of the complaint after Stage 3, the complainant is able to refer the matter to the Education and Skills Funding Authority, who will consider whether the school followed an appropriate procedure in dealing with the complaint.

**Education & Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry CV1 2WT**

In your letter please explain:

- (a) what your complaint was;
- (b) what response has been made to it;
- (c) why you think that proper procedure was not followed in considering your complaint, and/or;
- (d) why you think that consideration of it was unreasonable.

Notes:

1) This leaflet does not apply where the complaint may lead to disciplinary proceedings against a teacher or child protection procedures. These matters have separate procedures.

2) Whilst it is appreciated that matters may not come to light immediately, the Trust and its schools may be unable to effectively investigate and therefore resolve complaints relating to historical matters i.e. those over 3 months old

3) All parties have a responsibility to act with civility and rationality before, during and after they raise a complaint. The Trust can invoke its Vexatious Complaints Policy in the event that a complainant falls short of these expectations.

Appendix A (This form can also be used if escalating to the MAT (see paragraph 17))

Complaints and Compliments

Please complete this form and return it to the Clerk to the Governing body at the school who will then forward it to the Chair of the Local Governing Body. Please continue on a separate sheet if necessary.

1. Name:

2. Address:

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3. Telephone number(s)

4. Email address

5. Name of child

6. Details of the complaint/compliment (please include the date or period of time to which complaint/compliment relates and confirm whether you have already expressed your concerns informally, and to whom and when).

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7. Do you have a suggestion for change?

Please attach copies of any more information you have to back up your complaint such as letters or report.

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Signed: Date:

Appendix B

The composition of a panel hearing

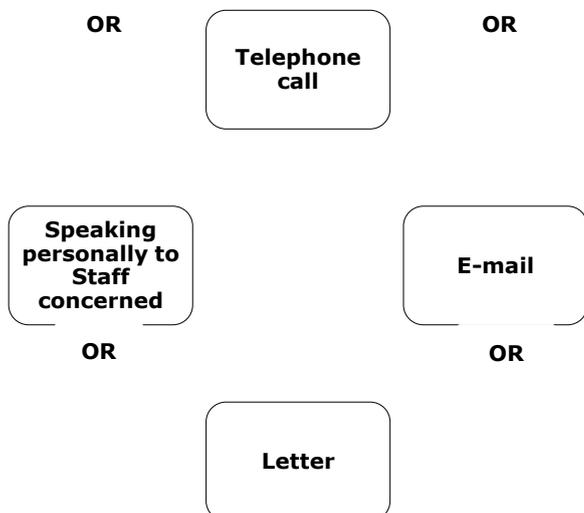
- It is important that any hearing is independent and impartial and that it is seen to be so: No member of a local governing body or director of the Trust may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. However, should a Chair of Governors be approached by a complainant regarding their issue, and an informal dialogue take place in order to ascertain the nature of the issue further or attempt resolution outside formal process, this should not automatically preclude the involvement of the Chair in a formal process unless the complainant articulates opposition to their involvement. Should this opposition be expressed, an alternative Chair for the panel will be found from amongst the number of the Local Governing Body.
- In deciding the make-up of the panel, members of the local governing body and directors of the Trust should try to ensure that it is a cross-section of the categories of governor/director and, as far as is practicable, sensitive to the issues of race, gender, sexual orientation and religious affiliation.

Conveying the outcome of a panel hearing

- If the outcome of a panel might lead to action under another procedure, e.g. disciplinary, then the complainant need only be told that appropriate action will be taken.
- Further, there may be occasions when a panel would wish to resolve an issue by means which are clearly within the responsibility of the internal management of the school: governors (and Head teachers/Heads of School) need to be mindful of their roles and responsibilities in regulation – see the Governance Handbook 2019.
- Only in exceptional circumstances should governors/directors consider taking a decision that may undermine the authority of a Headteacher/Head of School or other staff, governors, and directors.
- The outcome of an upheld complaint – in full or in part – may be that the Trust makes changes in policy or practice, that it is necessary for the full Governing Body/Trust Board to receive a short report regarding the details and findings of the complaint. (Please note: this should not mention names).
- The Chair of Governors/Chair of the Trust Board is responsible for ensuring that the correct procedures have been followed.
- 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 Chair of the Trust will inform them in writing that the procedure has been exhausted and that the matter is now closed but that the complainant may take their complaint to the EFSA or to the appropriate body such as Ofsted. Their remit is to review due process, so there is no onus on them to re-open an investigation: they may only decide to do so if they judge that there has not been due process.

Appendix C: Flow chart through the Stages

Compliments & Comments



Complaints

