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School Concerns and Complaints Policy

Introduction

Anthem Schools Trust (Anthem) and all our schools are committed to meeting the needs of pupils, parents and others within the school community. We believe that feedback is an important ingredient in self-improvement and raising standards. Parents who have concerns, difficulties, or complaints about their Anthem school should feel that these can be voiced and be confident that they will be considered seriously in a sympathetic, efficient manner and at the appropriate level.

This policy is drafted in accordance with the Education (Independent School Standards) Regulations 2014 and takes account of the school's equality duty under the Equality Act 2010. This policy complies with our funding agreement and articles of association.

The policy is available on the school's website and can be made available in large print or other accessible formats if required.

If you are concerned about the safety of your child, you should immediately notify the person you believe is best placed to take urgent action and confirm this in writing to the Headteacher. Please refer to our Child Protection and Safeguarding Policy.

Scope

This policy applies to all sections of our schools and provides guidelines for handling concerns and complaints raised by current parents or legal guardians about the school their child or children attend. It may, at our discretion, apply to a parent whose child has recently left the school or other non-parents.

Any person wishing to raise a concern or complaint about Anthem at a Trust level should refer to the Anthem Complaints Policy, available on the Anthem website. Separate procedures also apply in the event of a child protection issue or in relation to admissions or exclusions. Staff wishing to raise a complaint should refer to the Grievance procedure. Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Complaints about the school's support from parents of children with SEN are within the scope of this policy. Such complaints should first be made to the class teacher, special educational needs coordinator (SENCO), or the Headteacher. Where parents have specific complaints about the Education Health and Care Plan (EHCP) procedures, or about the content of their child's EHCP, the Local Authority should be contacted directly.

If you are not clear whether this policy or another policy applies, please contact the relevant school's Complaints Coordinator or the Anthem Complaints Coordinator (contact details at Appendix 1).

Procedures

The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Please let us know if you are dissatisfied, or have any cause for concern, as soon as possible. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to our school culture.

Four stages

The school's concerns and complaints procedure comprises four stages:

Stage 1: Concerns and difficulties, dealt with informally

Stage 2: Complaints formally investigated by the Headteacher

Stage 3: Complaints formally reviewed by the Education Director (or designate)

Stage 4: Complaint Panel Hearing

Timescales

The school aims to resolve any concerns, difficulties and complaints in a timely manner. The timescales for each stage of the procedure are set out below under the relevant section. When this policy refers to school days, we mean Monday to Friday, when the school is open to children during term time. Some of the procedures may take longer during the holidays when personnel are likely to be on leave. The dates of each term are published on the school's website.

Although every effort will be made by the school to comply with the time limits specified under each stage of the procedure, it may not always be possible to do so, for example due to the complexity or quantity of matters raised, or due to the unavailability of the complainant to attend a meeting, if offered. In all cases, where a time limit cannot be complied with, the school will write to the complainant within the specified time limit, setting out the reasons why the time limit cannot be complied with, and confirming the new time limit which will apply.

Complaints Coordinator

The contact details for the Complaints Coordinator for all schools are set out at Appendix 1.

The Complaints Coordinator will remain impartial and will:

- keep records of each formal complaint and how matters proceed (including noting at which stage each complaint is resolved)
- coordinate the complaints procedure across the school
- arrange additional assistance for those raising a concern, difficulty or complaint when required
- work with the school to ensure all school staff are trained regarding the complaints procedures and this policy
- monitor the level and type of complaints as well as the keeping, confidentiality and storage of records in relation to complaints
- keep Anthem informed of any complaints being dealt with by the school at Stage 2 to 4.

Stage 1 – Concerns and difficulties, dealt with informally

We expect that most concerns or difficulties can be resolved informally. Examples might include: dissatisfaction with an aspect of teaching provided, a class/group allocation, allocation of responsibilities or privileges, a timetable clash, a problem with the school's equipment or provision, or an admin error. Certain serious complaints such as discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 or Stage 3 without action at Stage 1.

Notification

The complainant should raise the concern or difficulty as soon as possible with the relevant member of the staff as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school Complaints Coordinator.

If a concern or difficulty is raised with a member of staff who feels that it raises serious issues which should be dealt with as a formal complaint immediately, the member of staff will tell the complainant that they should put their complaint in writing to the Headteacher.

Unresolved concerns and difficulties

The school will aim to resolve a concern or difficulty within **15 school days** of the date that it was raised. Where a concern or difficulty has not been resolved by informal means within this time limit, the complainant can submit the matters raised as a formal complaint under Stage 2 of this Concerns and Complaints Policy (or Stage 3 if the complaint relates to the Headteacher).

Stage 2: Complaints formally investigated by the Headteacher

Notification

A concern or difficulty raised under Stage 1 of this Concerns and Complaints Policy which remains unresolved after **15 school days**, or a serious matter which requires formal investigation from the outset, should be set out in writing and sent to the Headteacher. Should a formal written complaint be received by another member of the staff, it will immediately be passed on to the Headteacher. Complaints regarding the Headteacher should be dealt with at Stage 3.

The complainant should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what the complainant believes the school should do to resolve the complaint. A template form is attached to this policy at **Appendix 2** to provide guidance on content of the formal written complaint. Any documentation relied upon by the complainant should be attached to the formal complaint.

If the complainant requires assistance with writing the formal complaint, because of, for example, a disability, he/she should contact the school Complaints Coordinator.

Acknowledgement

The formal complaint will be acknowledged in writing within **five school days** of receipt. The acknowledgement letter will confirm the date that the formal complaint was received, the action to be taken and the specified time limit.

Investigation

The Headteacher may appoint an impartial Stage 2 investigator or may lead on the investigation directly. The Stage 2 investigator will be a senior member of school staff or a member of the Local Governing Body and will not have had any prior involvement in the complaint.

The Headteacher or the Stage 2 investigator will be provided with the records of the Stage 1 informal procedure (if applicable) and will then proceed to investigate the complaint. This will involve obtaining and considering all documentation held by the school which is relevant to the complaint, including all documentation sent in by the complainant. If additional information is required from the complainant, and others involved, this may be requested from them over the telephone or in writing. A meeting with the complainant may be requested as part of the investigation.

Outcome

If the Headteacher considers it to be appropriate, the complainant may be offered a meeting to discuss the issues raised after the investigation has taken place with the aim of reaching an amicable resolution.

Whether or not an outcome meeting is arranged, the Headteacher will write to the complainant confirming the outcome of the investigation within **20 school days** from the date the complaint was received. The letter will set out the individual matters raised by the complainant, the findings made by the investigation, and the conclusion reached by the Headteacher.

The letter will inform the complainant that, if they are dissatisfied with the outcome of the Stage 2 investigation, they should proceed to Stage 3 of this policy within **five school days** of receipt of the letter.

Where the complaint was received during a school holiday or within 20 days from the end of a term or half term, the Headteacher will endeavour to expedite the investigation wherever possible.

Stage 3 – Complaint formally reviewed by the Education Director (or designate)

Notification

If the complainant is dissatisfied with the outcome of the complaint under Stage 2 of this Concerns and Complaints Policy, the complainant may write to the school Complaints Coordinator to request that their complaint is taken to Stage 3 of this policy within **five school days** of receiving the Stage 2 outcome letter. The complainant should not repeat the matters raised in their original letter or attach documentation already provided but should clearly set out how and why the complainant does not accept the findings made under Stage 2. Complaints regarding the Headteacher should also be addressed under Stage 3 of this policy.

The complainant should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what the complainant believes the school should do to resolve the complaint. A template form is attached to this policy at **Appendix 2** to provide guidance on content of the formal written complaint. Any documentation relied upon by the complainant should be attached to the formal complaint.

Acknowledgement

The complainant's letter will be acknowledged within **five school days** of receipt.

Investigation

The Complaints Coordinator will arrange for the Education Director to review the complaint under Stage 3 of this policy. The Education Director may delegate the Stage 3 responsibility to the Chair of the Local Governing Body or another member of the Education Executive Team.

The Education Director (or designate) may appoint an impartial Stage 3 investigator or may lead on the investigation directly. The Stage 3 investigator may be a senior member of Anthem staff, a member of the Local Governing Body or an independently appointed specialist and will not have had any prior involvement in the complaint.

The Education Director (or designate) or the Stage 3 investigator, as applicable, will be provided with the records of the Stage 1 and 2 procedure (if applicable) and will then proceed to investigate the complaint. This will involve obtaining and considering all documentation held by the school which is relevant to the complaint, including all documentation sent in by the complainant. If additional information is required from the complainant, and others involved, this may be requested from them over the telephone or in writing. A meeting with the complainant may be requested as part of the investigation.

Outcome

If the Education Director (or designate) considers it to be appropriate, the complainant may be offered a meeting to discuss the issues raised after the investigation has taken place with the aim of reaching an amicable resolution.

Whether or not an outcome meeting is arranged, the Education Director (or designate) will write to the complainant confirming the outcome of the investigation within **20 school days** from the date that the request for a Stage 3 review was received. The letter will set out whether the Education Director (or designate) agrees with the findings and conclusion under Stage 2, and give reasons, as well as responding to any criticisms of the Stage 2 investigation.

Where the request for a review was received during a school holiday, or within 20 days from the end of a term or half term, the Education Director (or designate) will endeavour to expedite the review wherever possible.

The letter will inform the complainant that, if they are dissatisfied with the outcome of the Stage 3 review, they should write to the Complaints Coordinator within **five school days** of receipt of the letter requesting a Complaint Panel Hearing under Stage 4 of this Concerns and Complaints Policy.

Stage 4 – Complaint Panel Hearing

Overview

A Complaint Panel (Panel) Hearing (Hearing) is a review of the decisions taken by the Headteacher and, where relevant, the Education Director (or designate). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

Notification

If the complainant is dissatisfied with the outcome of the review under Stage 3, or the Headteacher's decision under Stage 2, and does not wish to invoke Stage 3, the complaint may be referred to the Panel

Hearing by writing to the Complaints Coordinator within **five school days** of receiving the Stage 2 or Stage 3 decision.

The request will usually only be considered if the complainant has completed the procedures at Stages 1 and 2, and where appropriate, Stage 3.

The complainant should not repeat the matters raised in their original letter or attach documentation already provided but should clearly set out how and why the complainant does not accept the findings made under Stages 2 and/or 3.

Acknowledgement

The Complaints Coordinator will write to the complainant within **five school days** acknowledging receipt of their request.

Composition of the Panel

The Complaints Coordinator will be responsible for convening the Panel as soon as reasonably practicable. The Panel will normally consist of a minimum of three individuals. No panel members will have been directly involved in the matters detailed in the complaint. One member of the Panel will normally be from Anthem and at least one member will be independent of the management and running of the school.

Convening the Complaint Panel Hearing

The Complaints Coordinator will liaise with the Panel, the complainant and the school's representative to agree a mutually convenient date for the Panel Hearing, which will usually take place within **20 school days** of receipt of the complainant's request, unless there are exceptional circumstances. The Panel will not normally sit during half term or the school holidays.

The Complaints Coordinator will write to the complainant confirming the date, time and place of the Panel Hearing within **five school days** of the date that the acknowledgement letter was sent, together with brief details of the Panel members who will be present.

If the Panel Hearing will not take place within **20 school days** of receipt of the complainant's request, the letter will set out the exceptional circumstances involved.

The Panel reserves the right to convene at their convenience rather than that of the complainant.

Attendance

The complainant will be allowed to attend the Hearing and be accompanied if he/she wishes. For the avoidance of doubt, the complainant's companion will be present for moral support only and will not play any part in the proceedings, unless invited to do so by the Panel. The Panel Hearing is **not** a legal hearing and it is not appropriate for either the complainant or the school to be legally represented.

The role of the Panel

The Panel's task is to establish the facts surrounding the complaints that have been made by considering the documents provided by both parties and any representations made by the complainant, the Headteacher or the Education Director (or designate). If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel decide that the complaint is

not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.

Hearing

The Hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner. The Hearing will be conducted in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The Hearing is not a legal proceeding and all statements made at the Hearing will be unsworn. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his/her comments will be recorded.

Conduct

All those attending the Hearing are expected to be polite and show courtesy, restraint and good manners or after due warning, the Hearing may be adjourned or terminated at the discretion of the chair of the Panel. If terminated on the grounds of poor conduct, the previous decision regarding the complaint will stand.

Adjournment

The chair of the Panel may, at his/her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

Notes

All present will be entitled to make their own notes for reference purposes if they so wish. Minutes of the proceedings will be taken during the Hearing, to be finalised afterwards.

Private proceeding

The Hearing is a private proceeding. No notes or other records, or oral statement, about any matter discussed in or arising from the Hearing shall be made available directly or indirectly to the press or other media.

Decision

After due consideration of the matters discussed at the Hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations will be notified to the complainant within **10 school days** of the Hearing, as well as to Anthem, the school's representative, the Headteacher and where relevant, any person about whom the complaint has been made. The findings and recommendations will also be available for inspection on the school premises by the proprietor and the Headteacher. The decision of the Panel will be final.

Referral to the ESFA

If the complainant is dissatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint, however, it will look into:

- whether there was undue delay, or the school did not comply with its own complaints procedure
- whether the school was in breach of its funding agreement with the Secretary of State
- whether the school has failed to comply with any other legal obligation.

For more information or to refer a complaint, see <http://www.gov.uk/complain-about-school>

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State (or someone acting on his or her behalf) requests access to them and except to the extent required by law.

Anthem Schools Trust

The Headteacher and the school Complaints Coordinator will ensure that the Trust's Complaints Coordinator is informed of any complaints at Stage 2 to 4 without delay and is kept informed as to all stages of the complaint thereafter.

Record-keeping

A written record will be made about each formal complaint received by the school and at which stage of the procedure each was resolved, the action taken by the school (whether or not the complaints were upheld), and the final outcome.

For further information please refer to our Retaining Records in Schools Policy.

Late complaints

Where a complaint is submitted more than six months after the incident or event (or where the complaint relates to a series of incidents or events, more than six months from the date of the latest incident or event), the school reserves the right to refuse to investigate the complaint under this Concerns and Complaints Policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.

Where the school decides that a complaint which was submitted late will not be investigated, the school Complaints Coordinator will write to the complainant notifying them of the decision within **five school days** of the complaint being received.

If the complainant is dissatisfied with the decision not to investigate a complaint which was submitted late, the complainant may write to the Complaints Coordinator asking for the decision to be reviewed by the Headteacher or Education Director. The complaint itself will not be investigated during this review.

The complainant will be written to with the outcome of the review within **10 school days** of the date that the letter from the complainant seeking the review was received.

If the decision not to investigate the complaint is quashed, it will be referred to the Complaints Coordinator to be dealt with under this Concerns and Complaints Policy in the usual way.

If the decision not to investigate the complaint is upheld, the complainant may refer the concern or complaint to the Education and Skills Funding Agency.

Anonymous complaints

The school will not investigate anonymous complaints under the procedures in this Concerns and Complaints Policy. Anonymous complaints will be referred to the Headteacher who will decide what, if any, action should be taken.

Complaint Campaigns

If the school receives large volumes of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- sending a template response to all complainants; and/or
- publishing a single response on the school's website

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Persistent or repetitive complaints

Where a complainant tries to re-open an issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the complainant may be informed by the complaints coordinator that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, *and*
- the complainant has been given a clear statement of the school's position and their options (if any), *and*
- the complainant is contacting the school repeatedly but making substantially the same points each time.

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- we have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- the individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- the individual makes insulting personal comments about, or threats towards, school or Anthem staff.

Unreasonable behaviour which is abusive, offensive or threatening will not be accepted.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email. The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Monitoring and evaluation

A summary of complaints received will be included in the Headteacher's termly report to the Local Governing Body, with advice on any implications for policy.

This policy will be reviewed every two years.

Appendix 1 – List of schools’ Complaints Coordinators

Name of School	Complaints Coordinator	Contact details
Queensbury Academy	Kim Morena	KMorena@queensbury.anthemtrust.uk
St Mark’s C of E Academy	Aimee Gallagher	AGallagher@stmarks.anthemtrust.uk
The Deepings School	Sharron Baird-Parker	sbairdparker@deepings.anthemtrust.uk
Oakbank School	Rob Maddox	RMaddox@oakbank.anthemtrust.uk
Oxford Spires Academy	Sean Masterson	SMASTERSON@spires.anthemtrust.uk
Abacus Belsize Primary	Encarna Aparicio	complaints@anthemtrust.uk
Abbey Woods Academy	Encarna Aparicio	complaints@anthemtrust.uk
All Saints Junior School	Encarna Aparicio	complaints@anthemtrust.uk
Benjamin Adlard Primary	Encarna Aparicio	complaints@anthemtrust.uk
Boston West Academy	Encarna Aparicio	complaints@anthemtrust.uk
Gladstone Park Primary	Encarna Aparicio	complaints@anthemtrust.uk
Grampian Primary Academy	Encarna Aparicio	complaints@anthemtrust.uk
Judith Kerr Primary School	Encarna Aparicio	complaints@anthemtrust.uk
Lincoln Carlton Academy	Encarna Aparicio	complaints@anthemtrust.uk
Meadow Park Academy	Encarna Aparicio	complaints@anthemtrust.uk
Mount Street Academy	Encarna Aparicio	complaints@anthemtrust.uk

Anthem Complaints Coordinator

Encarna Aparicio

complaints@anthemtrust.uk

Appendix 2 – Formal Complaint Form

Please complete and return to the school who will acknowledge receipt and explain what action will be taken.

Your Name:	Student's Name:
Your Relationship to Student:	Student's DOB and Year/Form:
Address and Postcode:	Daytime Telephone Number:
	Evening Telephone Number:
Full details of complaint <i>(including the names of all persons involved and the dates of incidents referred to):</i>	
What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

For Official Use:

Date Acknowledgement Sent

Name of Person Complaint Referred To

Signature:

Date: