

Complaints Procedure

Date of Issue: September 2021

Date of Review: September 2022

1. Introduction

- 1.1 Complainants should raise concerns and complaints with members of staff either in person, by telephone or in writing. They will be given an opportunity for discussing of their concerns informally with the relevant member of staff, as soon as possible, and always within 2 working days.
- 1.2 In many cases, concerns may be allayed or resolved by this informal discussion. Many concerns result from a misunderstanding, a lack of information or miss-communication and a two-way discussion will usually identify effective management and resolution of any difficulties encountered.
- 1.3 Footsteps understands that any areas of concern over a child's well being may give rise to raised tension. We will therefore ensure that full consideration of the circumstances is given and that all informal discussions are undertaken in private and in a calm, relaxed environment.
- 1.4 If complainants feel that the initial response is inadequate and does not fully address their concerns, or they wish to make a complaint about a particular teacher, or another member of staff, they should then take the complaint to the Principal. An appointment may need to be made to discuss these concerns further. This will be within three days of parents making the request to do so.

2. The meeting arranged to discuss your concerns informally.

- 2.1 The member of staff dealing with the concern should make sure that complainants are clear as to what action (if any) or monitoring of the situation has been agreed. This can be summarized in writing, if necessary
- 2.2 Where no satisfactory solution has been found, complainants should be informed that they can make a formal complaint in writing to the Principal. This will initiate Stage 1 of the formal complaints procedure.

3. Stage 1 – Complaint to the Principal for investigation

- The Principal will acknowledge the complaint in writing within three working days of receiving it. In some cases the Principal will have already been involved in looking at the matter; in others it will be his/her first involvement.
- The Principal will consider providing an opportunity to meet with the complainant to supplement any information previously provided.
- If the complaint is against a member of staff the Principal will talk to the staff member against whom the complaint has been made.
- If necessary, the Principal will interview witnesses and take statements from those involved.
- The Principal will keep reasonable written records of meetings and telephone conversations, and the receipt of any other documentation relating to the complaint.
- Once all the relevant facts have been established, the Principal will produce a written response to the complaint. The Principal may wish to meet with the complainant to discuss/resolve the matter before confirming the outcome in writing.
- The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it will include what action the school will take to resolve the complaint. This response, signaling the end of Stage 1 of the formal complaints procedure, will be completed within 10 working days of the receipt of the complaint. If Stage 1 cannot be resolved within this timescale, the complainant will be given a revised completion date within 10 working days of receipt of the complaint.
- The complainant will be advised that if they are not satisfied with the response and wish to take the matter further, they can do so, by writing to the Chair of the Trustees. This initiates Stage 2 of the formal complaints procedure.
- Footsteps will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

4. Complaints against the Principal

- 4.1 If the complaint is wholly or mainly about the Principal, which may be a response to the handling of an ongoing complaint, the Governing Body (Board of Trustees) should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the Governing Body will invite the Principal to respond to the complaint in writing within ten working days, and inform the complainant of this step in the process. The Governing Body will send a copy of the Principal's response to the complainant who will be asked to indicate within five working days of its receipt, whether they are satisfied with it. If the complainant is not satisfied with the response to stage 2 of the formal complaints procedure described below.

5. Stage 2 – Consideration by the Governing Body of a Complaint

- 5.1 If the complainant decides to take the matter to Stage 2 by writing to the Chair of the Trustees, the Chair will write to the complainant to acknowledge the complaint within two school days of receipt. A copy of the acknowledgement and the written complaint should be sent to the Principal and the Clerk to the Governing Body. **If the complaint is about the Principal, a member of the Board of Trustees would deputise in this process.**
- 5.2 **Investigating the complaint** – shall require establishment of a committee of at least three people who were not involved in previous consideration of the complaint (hereinafter known as ‘the panel’). One of the members of the panel will be independent of the management and running of the school which may require attachment of a panel member from outside Footsteps.
- 5.3 The panel will consider the complaint on the basis of the written evidence and set up a hearing to hear both parties` view. Members of the panel may also take evidence on their own initiative. The panel will follow the procedure set out below.
- 5.4 The Clerk/Chair of the complaints committee will write to the parent to explain how the review will be conducted. The letter will be copied to the Principal.
- 5.5 The Clerk/Chair of the panel will confirm the date of the meeting with the other panel members, Principal, and complainant. The hearing will be held within 15 working days of the instigation of Stage 2 of the formal complaints procedure.
- 5.6 The notification will inform the complainant of their right to be accompanied to the meeting by a friend/representative. The notification will also explain how the meeting will be conducted and of the complainant’s right to submit further written evidence to the panel.
- 5.7 The Principal will prepare a written report for the panel to indicate his/her response to the complaint.
- 5.8 All relevant correspondence regarding the complaint will be circulated to the panel members, the complainant, and the Principal in advance of the meeting, while fullt observing its confidentiality.
- 5.9 If the Principal and/or the complainant wish to call witnesses, the agreement of the Chair of the panel should be obtained in advance of the meeting.
- 5.10 It is the responsibility of the Chair to ensure that the meeting is properly conducted within a non-intimidating and relaxed context.
- 5.11 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the panel will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.
- 5.12 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

The meeting should allow for:

- the complainant to explain their complaint and the Principal to explain the reasons for his or her decision;
 - the Principal to question the complainant about the complaint and the complainant to question the Principal;
 - panel members to have an opportunity to question both the complainant and the Principal;
 - any party to have the right to bring witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.
 - final statement by the Principal and complainant.
- 5.13 The Chair of the Panel should explain to the parent and the Principal that the Panel will consider its decision, and a written response will be sent to both parties within five working days of the panel hearing. The complainant, Principal and any witnesses will then leave.
- 5.14 The Panel will consider the complaint and all the evidence presented and reach an unanimous, or at least a majority, decision on the complaint. Where appropriate the Panel can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.
- 5.15 The Clerk/Chair will send a written statement outlining the decision with reasons to both the complainant, the person complained about, and the Principal. A copy of the panel's findings and recommendations will be available for inspection on the school premises by the Proprietor and Principal.
- 5.16 A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.
- 5.17 Correspondence, statements, and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 162A of the 2002 Act request access to them.
- 5.18 The complainant will be advised that if they are dissatisfied with the response they gave, they have the right to take the matter further by complaining to the Secretary of State for Education and Skills, Ofsted, the Department for Education or the Local Government Ombudsman.
- 5.19 Stage 2 should be completed within 20 working days. However, it is recognised that this timetable may be impossible for complaints which are complex. In such cases the Chair of the panel will write to the complainant giving a revised target date.
- 5.20 In exceptional circumstances the Panel may decide after taking advice from the Learning Trust not to proceed to consider the complaint on the grounds that the complaint has already been dealt with or is malicious.
- 5.21 All records of complaint will be kept confidential. This will include records of the stage at which the complaint is resolved.