



PACE Academy Trust

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# Complaints Policy

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## 1. Our commitment to resolving your concern or complaint

In PACE schools our mission is to provide education and care in happy, inspiring environments in which all children are valued and encouraged to succeed. From time to time parents, carers and others connected with the school will become aware of matters which cause them concern. We have this policy to set out what we will do when those concerns arise. Throughout our policy, when referring to parents and carers, we include in this anyone else connected to our schools who may need to use this policy.

We will take concerns and complaints seriously and expect that they are dealt with comprehensively, at the appropriate level and as far as possible, in confidence. We want to resolve issues as early as possible. We will review our processes and practice to learn lessons when we find that we could have done better.

To enable proper investigation, we ask that concerns or complaints be brought to the attention of the school as quickly as possible. Matters raised more than 3 months after the event will only be considered in exceptional circumstances.

Complaints brought by staff will be investigated under our employee *Grievance Policy*.

Written records of any complaint will be only be shared with those that need to see them. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments that are needed.

Anonymous complaints will not be investigated unless there are exceptional circumstances.

We have a Whistleblowing Policy which can be found on our website.

## 2. Our approach to complaint handling: a summary of this policy

We want to resolve complaints as early as possible. We ask parents and carers to raise their concern or complaint informally and we will do our best to resolve it. We describe this in more detail below under 'Informal Resolution (Stage 1)'.

If we are unable to resolve a concern or complaint informally, parents and carers are asked to raise their complaint in writing and can choose to use our form to do this (page 10) which is also available from our school offices. We want to make this process as accessible as possible for all of our community so please ask us if you need any adjustments or assistance.

We ask parents and carers to set out why they are dissatisfied and what outcomes they are seeking.

We will then investigate and respond to your complaint formally. This is set out in more detail below under 'Investigation and response to a formal complaint (Stage 2)'.

If a parent or carer is unhappy about our response, they may ask us to proceed to an appeal stage so that an independent panel can review their complaint. This is set out in more detail below under

'Appeal stage (Stage 3)'.

If a complaint has been through all stages of this policy but the parent or carer remains dissatisfied, they can refer their complaint to the Department of Education.

We will always endeavour to keep to the commitments we make in this policy about timescales at each stage. However, where a complaint is of a particularly complex nature, or further investigations are required to establish facts, new time limits may be set. We will tell parents and carers about any changes and explain the delay.

In some instances it may be that we will ask the parent or carer to consider whether mediation might be a suitable process to settle a particular issue. Mediation is where an independent third party helps both parties to come to a mutually acceptable outcome. Our senior leaders may consider whether it is appropriate to suggest a process of mediation at any point through the formal stages set out in this policy. We will also consider any request from a parent or carer to use mediation.

If both sides agree to try mediation, we will pause our complaints process whilst we try to achieve a resolution. If the outcome of this process resolves the issue our complaints procedure will end.

### 3. Our procedure in detail

#### *Informal resolution (Stage 1)*

The class teacher, the Head of School/Headteacher or other members of staff, can deal with many enquiries and concerns satisfactorily. We value informal meetings and discussions.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although we hope that most issues will be resolved within 10 school days. We will give you an opportunity to explain your concern and listen carefully to what you suggest might put that right.

It's likely that many issues can be resolved by the class teacher. Sometimes a discussion with a more senior leader (such as a 'Phase Leader', a SENDCO or Assistant Headteacher) will be appropriate.

If a parent or carer *or* the member of our staff trying to resolve an issue decides that the complaint will **not** be resolved through these face-to-face discussions *either* can decide that we should move to a formal investigation of the complaint under stage 2.

#### *Investigation and response to a formal complaint (Stage 2)*

If we are unable to resolve a concern or complaint informally, we ask parents and carers to put their complaint in writing and they can choose to use our form to do this (page 10) which is also available from our school offices.

We ask parents and carers to set out why they are dissatisfied and what outcomes they are seeking.

We want to make this process as accessible as possible for all of our parents and carers so please ask us if you need any adjustments or assistance.

The complaint should be sent to **the Head of School/Headteacher**. If the complaint is about a Head of School or Headteacher the parent or carer should send it to our governance professional: [clerk@paceacademytrust.com](mailto:clerk@paceacademytrust.com) so that we can ensure that those being complained about are not involved in investigating a complaint.

We will then investigate and respond to your complaint formally.

We will acknowledge a written complaint within 3 school days, provide a copy of this policy and aim to respond to the complaint within a further 20 school days. We will let you know if we have to extend this timeframe and explain why. We will identify the appropriate Senior Leader to investigate and respond to the formal complaint.

If the complaint is very serious or relates to a Head of School or Headteacher then the investigator will be a Trust Leader within PACE Academy Trust. If the complaint concerns the Chief Executive Officer, member of the Trust Leadership Group or a governor/director, the Chair and Vice-Chair of the PACE Strategic Board will determine who will investigate the complaint.

#### *How we will investigate a complaint:*

The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interviews with an open mind and be prepared to persist in the questioning;
- keep notes of any meetings.

If a meeting is likely to be complex or contentious the investigator may use an appropriate notetaker who may be present for this purpose virtually.

The member of staff assigned to conduct an investigation should aim to communicate the outcome within 20 school days. 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 or address the complaint.

If the complainant still feels the complaint has not been resolved satisfactorily they may send a further written request to proceed to the appeal stage (stage 3), within 10 school days. If no further communication is received from the complainant within 10 school days we will consider that the complaint has been resolved and is closed.

### *Appeal stage (Stage 3)*

If the parent or carer is dissatisfied with the resolution or investigation of the complaint at stage 2, they may ask to proceed to the appeal stage – stage 3. The written request should be sent to the Chair of our Strategic Board, setting out:

1. The reason why the complainant believes the complaint remains unresolved
2. The outcome they are seeking

The written request should be sent to: [clerk@paceacademytrust.com](mailto:clerk@paceacademytrust.com)

The Chair of the Strategic Board will decide the composition of the appeal panel. The appeal panel will usually comprise three members and is likely to include the chair of the governing body, a member of the Strategic Board and another member of the governing body. It may include a senior leader/governor from another school or from the Trust Leadership Group who has not been involved in the complaint at any earlier stage.

### *How we will run an appeals hearing*

The PACE Governance Professional will write and inform the parent or carer, the investigator, and the panel of the date and location of the meeting at least 5 working days in advance of the hearing. The letter will explain how the meeting will be conducted.

Notification to the parent or carer should also inform him/her of the right to be accompanied to the meeting by a friend/ interpreter. For the avoidance of doubt, the complainant's supporter will be present for moral support only and will not play any part in the proceedings, unless invited to do so by the Chair. The appeal hearing is not a legal hearing and it is not appropriate for either the complainant or the school to be legally represented. The school will be represented by the person who dealt with the complaint under Stage 2.

The relevant Head of School, Headteacher or the Chief Executive may attend. The panel chair will decide whether this is appropriate and will inform all of those attending if required.

When determining the appeal the appeal panel will:

- Review all previous documentation;
- Be independent and impartial. No individual may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- Aim to achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the appeal does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously;
- Make the proceedings as comfortable as it can be for all of those involved. We understand that many people feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. This situation can also be hard for our staff.

The appeal panel may meet to determine the appeal using virtual technology. Electronic recording of proceedings will not be allowed unless to enable accessibility.

Our governance professional (our clerk) is the contact point for the complainant and will:

- Set the date, time and venue of any hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible which may require the use of virtual technology;
- Collate any written material and send it to the parties in advance of a hearing;
- Meet and welcome the parties as they arrive at a hearing;
- Make a record of the proceedings;
- Notify all parties of the panel's decision.

The chair of the panel will ensure that:

- the panel has and considers all of the relevant documents;
- the remit of the panel is explained to all parties.

The usual format of a hearing will be:

- The chair of the panel will welcome everyone, introduce the panel members and explain the procedure.
- The chair of the panel will invite the parent or carer to explain the complaint.
- The panel members will be invited by the chair to ask questions, if any.
- The complainant will then be asked to leave the hearing.
- The investigator will be invited to respond to the complaint and make representations on behalf of the school, then may be asked questions by the panel.

### *The appeal panel's decision*

The appeal panel will meet in private, either immediately after the hearing or on a subsequent date, and will consider all of the documentation and everything that they have heard and make:

### *Findings of Fact*

The appeal panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the panel will not consider it further. The panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with their reasons for making these findings.

### *Recommendations*

The appeals panel will consider these facts and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between the parties, improving procedures or preventing a recurrence in the future. The appeal panel will keep a written record of their recommendations, with reasons.

The panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

#### *Notification of the appeal panel's decision*

The governance professional will write within 10 school days of the panel hearing to the complainant, the investigator, and any person complained about.

The letter will identify each of the issues complained about, summarise how the appeal panel hearing proceeded, and confirm each of the panel's findings of fact and recommendations, if any, with reasons.

The letter will also confirm that, if the complainant believes that this Complaints Policy does not comply with the regulations, or that the school has not followed the procedure outlined in this Complaints Policy, the complainant may refer their complaint to the Department for Education for further consideration.

The governance professional will also ensure that a copy of the appeal panel's findings and recommendations is retained by the Trust.

#### **4. Resolving the issue through mediation**

We want to resolve complaints as early as possible. In some instances it may be that we will ask the parent or carer to consider whether mediation might be a suitable process to settle a particular issue. Mediation is where an independent third party helps both parties to come to a mutually acceptable outcome. Our senior leaders may consider whether it is appropriate to suggest a process of mediation at any point through the formal stages set out in this policy. We will also consider any request from a parent or carer to use mediation.

If both sides agree to try mediation, we will pause our complaints process whilst we try to achieve a resolution.

#### **5. Complaint procedure referred to Department for Education**

If a complaint has been through all stages of this policy but the parent or carer remains dissatisfied they can refer their complaint to the Department of Education.

The Department for Education (DfE) will check whether the complaint has been dealt with properly by the school. The DfE 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

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet these obligations, the school will be asked to correct its procedure accordingly.

<https://www.gov.uk/complain-about-school>

## 6. Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

### *Steps we will take*

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary.

## ***Stopping responding***

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression, threat or act of violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

## **7. Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are significant new aspects to the complaint, we will follow this procedure again in relation to the new or additional elements.

## **8. Complaint campaigns**

Where the school receives a large volume 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:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

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

## Annex A: Complaints Form

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

Your name:

Pupil's name (if applicable):

Your relationship to the pupil:

Address:

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?

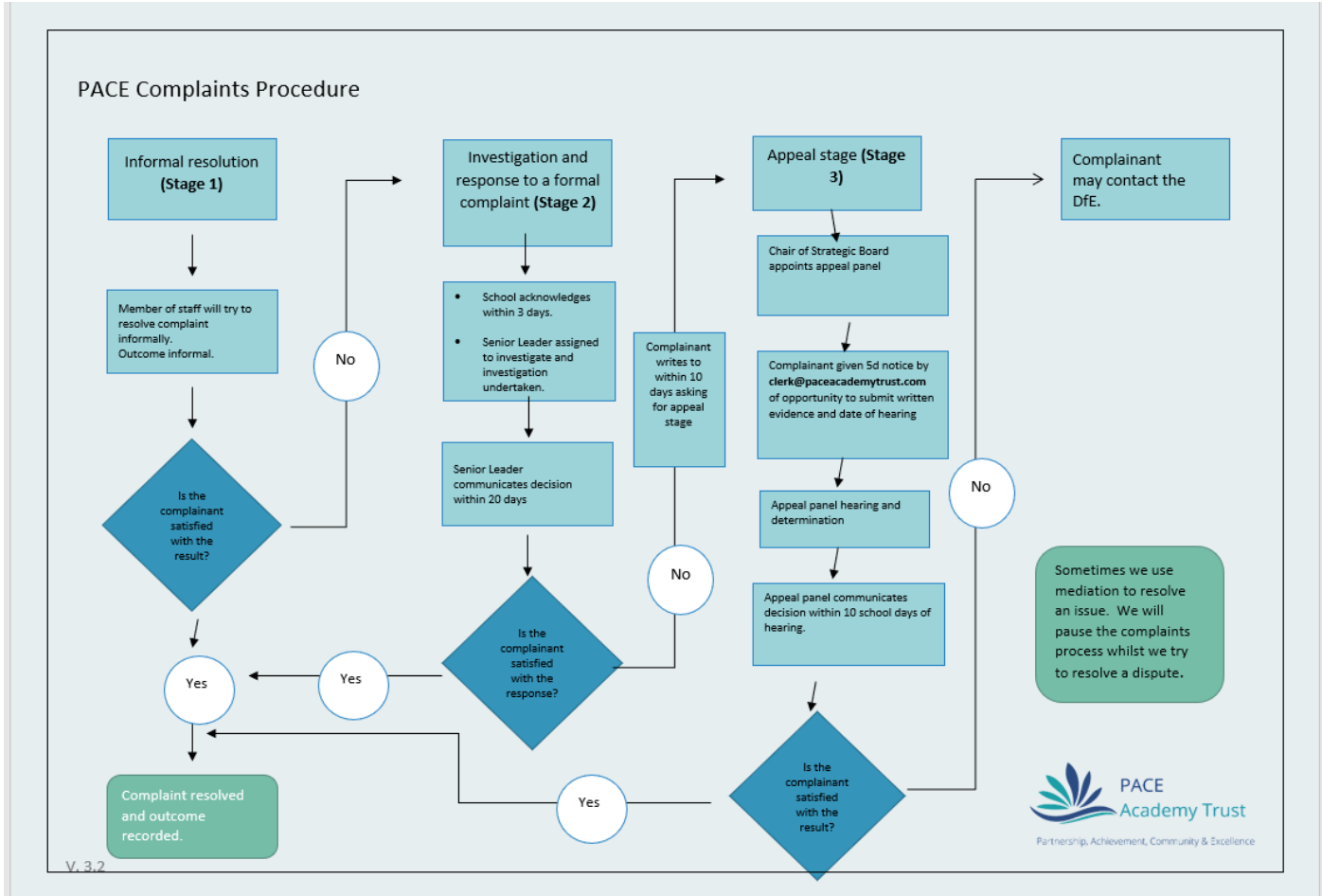
Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use Date acknowledgement sent: By who: Complaint referred to: Date:
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# Annex B Flowchart of process



## Document control

Document Control Table			
Document Title	PACE Complaints Policy		
Author	Jo Grinter		
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Document History			
V1	Spring 2018		
V2	June 2021	JG	Reviewed and updated by HG and JG
V3	July 2022	JG	Reviewed and revised by HG, JG, GB, ZH
V3.1	September 2022	JG	Revised following Board feedback
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