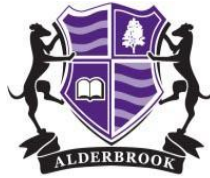


# Alderbrook School | Alderbrook Sixth Form



## Complaints Policy

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## Introduction

- 1 This policy covers complaints. It has been reviewed against the DfE advice to meet the standards set out in the Education (Independent School Standards (England)) Regulations 2014 Schedule 1 Part 7. Also using the Education Funding Agency (now ESFA) guidance for creating an academy complaints procedure March 2021. This policy addresses complaints about school issues. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests them.

### Anonymous complaints

- 2 We will not normally investigate anonymous complaints. However, the head teacher or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

### Complaints received outside of term time

- 3 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### Withdrawal of a complaint

- 4 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## Complaints and Concerns

- 5 The majority of issues raised by parents/carers, or students are concerns rather than complaints. Alderbrook School is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and avoiding recourse to formal procedures. However, in those instances where a parent does not feel a concern has been addressed, or it is of sufficient gravity, then the school's formal complaints procedure should be used. The prime aim of Alderbrook School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Complaints are dealt with using a staged approach.
- 6 The Alderbrook School Complaints Policy has four main stages.

### Stage 1 Informal - Raising a concern

- 7 Concerns can be raised with the school at any time by any communication method, and will often generate an immediate resolution. Concerns may also be raised during the school's normal Parental Consultation Evenings, or other arranged meetings with specific staff.
- 8 The school requests that parents make their concerns known to the school as soon as possible, so that they can be discussed with the relevant member of staff. In most cases, this will be either the subject teacher, pastoral manager or form tutor.
- 9 On some occasions, the concern raised may require investigation, or discussion with others, in which case there will be an informal but informed response usually within three school days from the initial contact. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way. If further time is required to find a resolution this extension will be mutually agreed with all parties.

- 10 Complainants can often feel frustrated because the resolution being sought may not include details of any consequences issued against third parties, in order to protect third party confidentiality. The complainant may be assured that the school will have issued consequences as appropriate in compliance with our policies and procedures.
- 11 However, if you are not satisfied please contact the school within ten school days of the outcome and state what your ideal resolution would be. If it is not possible to resolve the issue, it may be necessary to proceed to the next stage- Stage 2 – Making a Formal Complaint. Escalation to stage 2 can be made by completing Appendix A or MS form [here](#)

## Stage 2 - Making a formal complaint

- 12 The School will normally acknowledge receipt of the complaint within two school days of receiving it and pass it to an appropriate designated member of staff. This complaint will be reduced to stage 1 if the complainant has not previously given the school the opportunity to resolve the concern raised. In some cases, it may be possible to report immediately on the action the school has taken to resolve the issue.
- 13 Where this is not possible, a face-to-face meeting may be convened to discuss the matter further with the appropriate members of staff, to allow the complainant to air their grievances and present all the relevant information with the hope that a resolution can be reached.
- 14 This meeting will take place within ten school days of the receipt of the formal complaint.
- 15 If the Investigating Officer feels the matter is too serious to be dealt with at stage 2, then it may be passed directly to Stage 3. The aim will however always be to resolve the matter as speedily as possible.
- 16 Formal complaints will be confidential except where the Secretary of State or an inspecting body requires access to such statements.
- 17 The complainant has ten school days from the date of the outcome letter or email to notify the school if they wish to escalate to stage 3, escalation can be logged [here](#) or using Appendix A of the Complaints Policy within 10 school days of the outcome letter

## Stage 3 Formal - Further Investigation

- 18 The school will normally acknowledge receipt of the complaint within two working days. The Investigating Officer, will undertake a further investigation.
- 19 At this stage a further face to face meeting will be arranged with the Headteacher within ten school days of receipt of the escalation to allow the complainant to air their grievances and present all the relevant information with the hope that a resolution can be reached.
- 20 In cases where the complaint concerns the conduct of the Headteacher, both the Governance Professional to the Trustees and the Headteacher will be informed of the complaint and the Trustees will arrange for the matter to be further investigated. The school will normally give a response in writing within ten school days.
- 21 The complainant has ten school days from the date of the outcome to notify the school if they wish to escalate to stage 4 writing by using Appendix A of the Complaints Policy by using the link [here](#).

## Stage 4 Panel Hearing

- 22 If the complaint is not resolved following the response from Stage 3, the complainant may request a Trustee Complaints Panel to consider the complaint. Escalation to stage 4 will be acknowledged within 2 school days. This panel meeting will normally occur within 20 school days. The Trustee Appeal Panel will consist of at least three people who were not directly involved in the matters detailed in this complaint, one of whom must be independent of the management and running of the Academy. The panel will allow the complainant to attend and be accompanied at a panel hearing if they should wish. The roles and responsibilities of the Trustees Complaints Appeal Panel and the format of the appeal hearing are detailed in Appendix B. The Panel Hearing can be in person or by a Teams meeting if preferred and agreed by all parties.
- 23 The aim of the Complaints Panel Hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel's decision in writing within three working days of the date of the hearing.
- 24 The letter will also contain details of any further rights of redress available. Outcomes from the hearing may include but are not limited to:
- Dismiss the complaint in whole or in part
  - Uphold the complaint in whole or in part
  - Decide on 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
  - The outcome letter will be received within 5 school days of the Panel Hearing.
- 25 The appeal hearing is the last school-based redress. The findings and recommendations of the panel will be available for inspection on the school premises by the proprietor and the head teacher. A complainant may appeal the outcome of stage 4 to the ESFA
- 26 The Education & Skills Funding Agency (ESFA) would expect the complainant to have attempted to seek resolution with the school by following the school's complaints procedure.

## Appeal to the Education and Skills Funding Agency

- 27 If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 4.
- 28 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Alderbrook School. They will consider whether Alderbrook School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).
- 29 The complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit

Education and Skills Funding Agency  
Cheylesmore House

5 Quinton Road

Coventry

CV1 2WT

## Recording of Complaints

- 30 The academy will record the action it takes as a result of complaints regardless of whether they are upheld. A form for recording the timeline of a complaint is attached in Appendix B; this is for office use only. However, at the end of each meeting a summary will be made by the Chair of the meeting to ensure that all parties have the same understanding of what has been discussed and agreed. The Governance Professional will hold these notes in a Complaints file.

## Learning Lessons

- 31 The Trustees will review any underlying issues raised by complaints with the Headteacher and leadership team as appropriate, and respecting confidentiality, identify areas of improvement that the school can make to its procedures or practices to improve systems.
- 32 The Trust Board will monitor the effectiveness of the complaints procedure to ensure complaints are handled properly.
- 33 The Headteacher will report to the Chair of Trustees on the frequency and nature of formal complaints, the effectiveness of the resolutions and any subsequent actions. The complaints policy will be reviewed annually.

## Anonymous Complaints

- 34 Anonymous complaints will not be dealt with unless the Headteacher deems there to be a serious safeguarding issue. All complaints are treated in a confidential manner (see paragraph 1) therefore negating the need for anonymity.

## Persistent Complaints

- 35 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 Chair of Trustees (or another other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.
- 36 If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstances in which we will not respond is if:
- The school has taken every reasonable step to address the complainant's concern
  - The redress sought by the complainant is incompatible with the complaints procedure, or goes against good practice, other school policies or current procedures
  - The complainant has already been given a clear statement of the school's position and their options
  - The complainant is contacting the school repeatedly but making substantially the same points each time

## Vexatious Complaints

- 37 The school will consider a complaint vexatious where we have reason to believe a complainant is contacting the school with the intention of causing unnecessary or repeated disruption or inconvenience. This might include making an excessive numbers of calls, leaving repeated voicemail messages or sending multiple emails to the school, insisting on immediate responses or attempting to pursue multiple complaints simultaneously.
- 38 A vexatious complainant may be identified for example, as a person who makes detrimental, personal or abusive comments regarding the school or persons employed by the school, directly in person, by phone, in emails or on social media. A person who inappropriately escalates a complaint externally at the same time as, or instead of, following the school's complaints procedures might also be deemed to be a vexatious complainant.
- 39 Whilst all complaints will be investigated, any complainant's vexatious behaviour or harassment of staff or students (as detailed in the Parental Engagement Policy) will also be logged, to allow any repeating pattern of these types of behaviour to be identified.
- 40 Schools have a duty to safeguard the health, safety and well-being of staff and students. Parents and carers that act in ways that may cause harm to the safety, mental health and / or the well-being of staff or students may be dealt with separately by means of the Parental Engagement Policy.

## Appendix A – Escalation form Complaints

Form to be emailed to [s201chawkes@alderbrook.solihull.sch.uk](mailto:s201chawkes@alderbrook.solihull.sch.uk) or Complete the MS forms below

Escalation to Stage 2 <https://forms.office.com/e/ZPEHCZj62R>

Escalation to Stage 3 <https://forms.office.com/e/ZwAv4uvM78>

Escalation to Stage 4 <https://forms.office.com/e/PyeTxBrMZc>

Your name	<input type="text"/>
Student's name	<input type="text"/>
Relationship e.g. parent	<input type="text"/>
Escalation Stage	<input type="text" value="Current Stage -"/> <input type="text" value="Escalating to -"/>
Email address	<input type="text"/>
Phone number(s)	<input type="text"/>

Please provide a brief summary of your original concern(s). Continue on a separate sheet if necessary

What actions, if any have you already taken to try to resolve the issue? Who did you speak to and what was their response?



What actions would you like to see to resolve the problem at this stage?

Please give details of any attachments to this form. These may include a more detailed account of the complaint, copies of correspondence or emails etc.

Signature

Date

OFFICIAL USE	
Date acknowledgement sent	
By whom	
Complaint referred to	
Date	

## Appendix B – Roles and Responsibilities for a Stage 4 Complaint

The **Governance Professional** is the main point of contact and is required to:

- Set the time, date and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- Collate any written material and distribute to the parties in advance of the hearing
- Meet and welcome all parties as they arrive
- Record the proceedings
- Notify all parties of the panel's decision

The **Chair of the Trust Board** should:

- Ensure correct procedure has been followed
- Identify a chair for the panel
- Ask the Secretary to arrange a panel

The **Chair of the Panel** should:

- Explain the remit of the panel to all parties and ensure each party has a chance to present their case
- Ensure that no member of the panel has a stake in the outcome of the proceedings, nor was involved in any earlier stages of the procedure
- Ensure that the issues are addressed
- Ensure that key findings of the facts are made known to all parties
- Ensure that parents and others who may not be used to speaking at such hearings are put at ease
- Ensure that the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- Ensure that the panel keeps an open mind and acts independently
- Ensure that all parties see written material
- Ensure that the complainant is notified of the panel's decision in writing along with details of any further rights of redress available as a school based resolution has been exhausted

### Format for the Panel Hearing

- The hearing will be as informal as possible. Witnesses will only be required to attend for the part of the meeting in which they give their evidence
- After introductions, the complainant will be invited to explain their complaint followed by their witnesses
- The Headteacher and designated senior members of staff may attend the meeting and question both the complainant and the witnesses after each has spoken
- The panel may ask questions at any point
- At the end of the hearing, the complainant will be invited to sum up their complaint
- The Headteacher will be invited to sum the school's actions and response to the complaint
- The Chair of the panel will confirm that both parties will hear from the panel within a set time scale of 5 working days. For possible outcomes see paragraph 25

This process completes the school-based redress of the complaint