

# The Mercian Trust

## Compliments, Comments and Complaints Policy

<b>Policy Owner / Author</b>	<b>The Mercian Trust</b>
<b>Date Ratified by Trust Board</b>	<b>October 2019</b>
<b>Date to be Reviewed:</b>	<b>October 2020</b>
<b>Date Adopted</b>	<b>1<sup>st</sup> November 2019</b>

## **Introduction**

This policy covers compliments, complaints and concerns of a general nature raised by parents.

At the Mercian MAT we are committed to providing a high-quality service for all pupils.

We would like to hear from parents 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 a complaint or concern. All complaints will be taken seriously and given full and proper consideration. Where things go wrong, we aim to resolve concerns wherever possible without the need for a formal written complaint.

## **Expressing approval**

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 through a telephone call, email, in writing or by speaking personally to staff concerned or the Headteacher/ Principal or the CEO or the Trust.

## **Raising a concern**

*At each stage in the procedure, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:*

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology from the school

## **Raising a concern – informal stage**

In the first instance parents should raise their concern with the most relevant member of staff. It is anticipated that at this stage the concern would be initiated verbally. If the Headteacher/ Principal is contacted at this stage, it is likely that the concern 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 concern. 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 concerns will be successfully resolved at this stage. Depending on the nature of the concern the member of staff spoken to may refer it to a more senior colleague, who will initiate appropriate action. In all cases it would be anticipated that the member of staff would inform their line manager of the concern and the outcome.

In accordance with equality law, we will consider making reasonable adjustments if requested by a complainant.

## **Making a formal complaint**

### **Step 1 - the Headteacher/ Principal**

If the parent/carer is not satisfied that their concern has been resolved informally then they should inform the Headteacher/ Principal either by email or in writing that they wish to make a formal complaint. The Headteacher/ Principal will then take appropriate action and respond within 10 school working days, this may include investigation by a senior member of staff.

### **Step 2 - the Local Governing Body**

In the unlikely event that the Headteacher/ Principal cannot resolve the issue to the satisfaction of the parent then a formal complaint can be made, in writing, to the Local Governing Body. This can be done by writing to the Chair of Governors at the school address. The panel hearing will take place within 15 schools days of receipt of the formal complaint. There is a form which parents can choose to fill in for this purpose. (see appendix A)

The Panel will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the school. 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 on the school premises 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.

You will receive a written response from the governing body within 5 school days of the meeting.

### **Step 3 - the Mercian MAT**

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

### **Step 4 - the Role of the Education Funding Authority**

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

#### **Notes:**

1) This policy does not apply where the complaint may lead to disciplinary proceedings against a teacher, admissions, exclusions, SEND or child protection procedures. These matters have separate procedures and resolutions. Details of the outcomes of these procedures may not be shared with complainants.

2) Whilst it is appreciated that matters may not come to light immediately, the Trust and its schools will be unable to effectively investigate and therefore resolve complaints relating to historical matters older than three months.

3) Complainants 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: Complaints form**

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint</b>

**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:**

## **Appendix B: Procedure for Governing Body Committee or Complaints Panel to deal with a complaint at Stage 3**

When a complaint is referred to the panel will meet within 15 school days of the complaint.

The the Clerk will:

- Set the date, time 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 materials and send it to the parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing
- Record the proceedings
- Notify all parties of the panel's decision within 5 working days of the meeting

The Chairman of the panel will ensure that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- The issues are addressed
- Key findings of fact are made
- Parents and others who may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it

The meeting will follow the set procedure:

- The hearing is an informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence



- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The headteacher may question both the complainant and the witnesses after each has spoken
- The headteacher is then invited to explain the school's actions and be followed by the school's witness
- The complainant may question both the headteacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues
- The chair explains that both parties will hear from the panel within a set time scale.
- The notification will normally be in writing not less than 5 school days after the hearing