



**Partnership, Opportunity and Integrity**

## **Consilium Academies**

### **Complaints Policy**

**(Central Trust and Academies)**

This policy is developed in accordance with the Education (Independent School Standards) Regulations 2014

This policy was approved by Consilium Academies Trust Board on 20 March 2018 and will be reviewed annually.

Updated March 2019.

## **Background and Context**

All Academies are required by law to provide a mechanism for interested parties to raise concerns and if appropriate formal complaints in order to resolve problems and issues which may be affecting the education, health and wellbeing of our students and school communities.

Consilium Academies Multi Academy Trust and its academies take this responsibility very seriously. We are committed to working in partnership and as such want to put in place the best possible environment for our schools to thrive. Whilst we will work positively towards removing barriers and proactively managing our schools as positively as possible there will inevitably be times when an individual need to raise a concern or complaint. This policy therefore provides a clear mechanism to do so.

## **Introduction**

This Policy has a specific purpose which is to provide a method for parents, carers and service recipients to raise concerns/complaints in a formal and simple manner and more importantly, to see that the complaint has been considered and dealt with, in an appropriate way.

The policy has as Series of Strands

- A** – Complaints against Academy Staff or Academies
- B** - Complaints against Academy Chairs of LGB
- C** –Complaints against Headteacher / Principals
- D** – Complaints about Central Team Staff
- E** – Complaints against Governors

## **Please note:**

### **This policy does not cover:**

- Academy Admission issues or appeals
- Academy Exclusion Issues or Appeals or
- Any Staff disciplinary or grievance issues which would be dealt with through an agreed Human Resources Policy negotiated through the Trade Union Recognition Agreement.

It is always hoped by the Trust and our schools that this formal process need not be implemented and most, if not all, complaints can be dealt with in an informal, polite and effective way which achieves the appropriate resolution which benefits our schools and their communities.

### **Serial or Persistent Complainants**

**Consilium Academies will work positively with parents, carers and the school community at all times. The complaints policy provides a mechanism to pursue and issue to resolution. Once a complaint has been dealt with neither the Trust nor one of its Academies will reopen the same or a similar complaint but will write to the complainant stating that the matter is closed and that the complaint may now be considered as vexatious and no further communication will be entered into with the complainant.**

### **Record Keeping/Confidentiality**

All complaints will be logged and reported through the individual school's Local Governing Body and the Trust Board. Records will be kept on file for up to 2 years (if related to a pupil this may be extended depending on the nature of the complaint). Complaints will be deemed to have provided consent for data storage/sharing when issuing a formal complaint. Information will only be shared with appropriate parties.

**All 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 109 of the 2008 Act requests access to them**

**Each individual Academy will record the action it takes as a result of complaints (regardless of whether they are upheld) and outcomes will be retained by the Academy and the Trust**

Complaints can be taken to the **Secretary of State for Education and Skills** under Section 496 of the Education Act 1996, on the grounds the Trust Board is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that the Trust Board has failed to

discharge its duties under the Act. The Secretary of State may contact the Trust Board for more information in order to consider the complaint, these powers relate to the Consilium Academies.

Complaints can also be made to the Education, Skills and Funding Agency (ESFA). The ESFA will investigate complaints under the following areas:

- undue delay or non-compliance with an academy's own complaints procedure
- an academy's failure to comply with a duty imposed on it under its funding agreement with the Secretary of State
- an academy's failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter as set out in the next section

They will not consider complaints made more than 12 months after a decision has been made except in exceptional circumstances.

Complaints can be made online through the following link: <https://form.education.gov.uk> or via post to:

**Ministerial and Public Communications Division**

**Department for Education**

**Piccadilly Gate**

**Store Street**

**Manchester M1 2WD**

Any complaint made to an external review body should have completed the trust complaints procedure prior to being made. If this has not been completed the external review body is likely to request that the complainant completes this procedure first.

**Whistleblowing**

Whilst complainants are able to make anonymous complaints to the school, trust or external body, we would urge them to use this procedure to complain confidentially in order to allow us to undertake a full investigation and achieve an appropriate resolution.

**(A) Complaints against Academy's or Academy Staff**

Type of complaint Academy based	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>(a) <u>INFORMAL</u></b> Email, telephone, letter or personal visit</p>	<p>Teacher or member of Academy or Trust staff involved. Academy should record the date of first contact.</p>	<p>No later than <b>10 working days</b> after the date of the first contact.  Academy should record date of response</p>	<p>The Complainant has a further <b>14</b> days from receipt of the Academy response to request that the complaint be made formal by email or writing to the <b>Headteacher</b> and asking the matter to be investigated If no further request is submitted by the complainant by the <b>15<sup>th</sup></b> day following the Academy response ,it is deemed <b>the complaint is closed.</b></p>
<p align="center"><b><u>Stage 1</u></b> Formal request to Headteacher for investigation stating why the informal response is not satisfactory. Email or letter .</p>	<p align="center"><b>FORMAL</b> Headteacher Academy should record the date of the <b>Stage 1</b> request</p>	<p align="center"><b>PROCEDURE</b> No later than <b>10 working days</b> after the <b>Stage 1</b> request has been received. Academy should note date of the response</p>	<p>The Complainant has a further <b>14days</b> days from receipt of the <b>Headteachers</b> response to request that the complaint be considered at <b>Stage 2</b> of the formal procedure by email or writing to <b>the Chair of the LGB</b> via the academy and asking the matter to be investigated. If no further request is submitted by the complainant by the <b>15th</b> day following the Headteachers response, it is deemed <b>the complaint is closed.</b></p>

Type of complaint Academy based	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 2</b></p> <p>Formal request to the Chair of the LGB (via the Academy) for investigation stating why the <b>Headteacher</b> response is not satisfactory. Email or letter only</p>	<p>Chair of the LGB</p>	<p>No later than 10 working days after the <b>Stage 2</b> request has been received. Academy should note date of request</p>	<p>The Complainant has a further <b>14</b> days from receipt of the <b>Chair of The LGB response</b> to request that the complaint be considered at <b>Stage 3</b> of the formal procedure by email or writing to the <b>Headteacher PA/ clerk to the LGB to request that a panel of the LGB give consideration to the complaint</b> If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Chair of the LGB</b> response, it is deemed <b>the complaint is closed.</b></p>
<p><b>Stage 3</b></p> <p>Formal request to the Headteachers PA/ Clerk of the LGB / Academy Business Manager Chair (via the Academy) to request a panel hearing stating why the <b>Chair of the LGB</b> is not satisfactory. The complainant must set out in detail where the procedure has not been complied and what outcomes the complainant is wishing to achieve. Email or letter only</p>	<p>Headteachers PA/ Clerk to the LGB / Academy Business Manager/ Nominated Officer</p>	<p>The panel should be convened no later than 21 working days after the <b>Stage 3</b> request has been received. Academy should note date of request.</p>	<p>The complainant and the Academy will receive the Outcome of the Panel deliberations no later than 10 working days from the date of the meeting. <b>In the case of the Academy the complaint will now be deemed closed.</b></p> <p>The complainant may request the Trust to review the procedure undertaken by the academy. within <b>7</b> days of receiving the Outcome by emailing <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p> <p><b><u>PLEASE NOTE THIS IS AN OFFICE BASED REVIEW. FOR COMPLIANCE PURPOSES ONLY.</u></b></p>

Type of complaint Academy based	Who needs to respond	When do they need to respond by	What happens after response issued
<p><u>Stage 4</u> Request to the Trust to review the process undertaken by the Academy. <b>This review will not</b> investigate the original complaint.</p>	<p>Director of Operations / Clerk to the Trust Trust to note date of receipt.</p>	<p>Within 15 working days of receiving the request for a review..</p>	<p>The complaint is deemed closed</p>

**(B) Complaints Against Chairs of LGB**

Type of complaint Chair of LGB	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>(a) <u>INFORMAL</u></b> Email, telephone, letter to Vice Chair of LGB via the Academy.</p>	<p>Vice Chair of LGB</p>	<p>No later than <b>10 working days</b> after the date of the first contact.</p> <p>Academy should record date of response</p>	<p>The Complainant has a further <b>14</b> days from receipt of the Academy response to request that the complaint be made formal by email to the <b>Clerk to the Trust</b> asking the matter to be investigated contact @consilium-at.com If no further request is submitted by the complainant by the <b>15<sup>th</sup> Day</b> following the Vice Chair of LGB response ,it is deemed <b>the complaint is closed.</b></p>
<p align="center"><b><u>Stage 1</u></b></p> <p>Formal request to <b>Clerk to the Trust</b> for investigation stating why the informal response is not satisfactory.</p>	<p align="center"><b>FORMAL</b></p> <p>Clerk to the Trust</p> <p>Trust should record the date of the <b>Stage 1</b> request</p>	<p align="center"><b>PROCEDURE</b></p> <p>No later than <b>10 working days</b> after the <b>Stage 1</b> request has been received.</p> <p>Trust should note date of the response</p>	<p>The Complainant has a further <b>14</b> days from receipt of <b>Clerk to the Trust</b> response to request that the complaint be considered at <b>Stage 2</b> of the formal procedure by email to the <b>Director of Operations</b> contact @consilium-at.com asking the matter to be investigated. If no further request is submitted by the complainant by the <b>15<sup>th</sup></b> day following the <b>Clerk to the Trust</b> response, it is deemed <b>the complaint is closed.</b></p>



Type of complaint Chair Of LGB	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 2</b> Formal request to the <b>Director of Operations</b> for investigation stating why the <b>Clerk to the Trust</b> response is not satisfactory.</p>	<p>Director of Operations</p>	<p>No later than 10 working days after the <b>Stage 2</b> request has been received. Trust should note date of request</p>	<p>Complainant has a further <b>14 days</b> from receipt of the <b>Director of Operations response</b> to request that the complaint be considered at <b>Stage 3</b> of the formal procedure by email to the <b>Chief Executive</b> contact <a href="mailto:contact@consilium-at.com">@consilium-at.com</a> If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Director of Operations response</b>, it is deemed <b>the complaint is closed.</b></p>
<p><b>Stage 3</b> Formal request to the <b>Chief Executive</b>. Formal request to the to request a panel hearing stating why the Director of Operations response is not satisfactory. The complainant must set out in detail where the procedure has not been complied and what outcomes the complainant is wishing to achieve. Email or letter only</p>	<p>The Chief Executive</p>	<p>The panel should be convened no later than 21 working days after the <b>Stage 3</b> request has been received. The panel will be made up of 3 LGB members not from the Academy concerned  Trust should note date of request</p>	<p>The complainant and the Academy will receive the Outcome of the Panel deliberations no later than 10 working days from the date of the meeting.</p> <p><b>In the case of the Trust the complaint will now be deemed closed.</b></p> <p>The complainant may request the Trust Board to review the procedure undertaken by the Trust within <b>7</b> days of receiving the Outcome by emailing <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p> <p><b><u>PLEASE NOTE THIS IS AN OFFICE BASED REVIEW. FOR COMPLIANCE PURPOSES ONLY.</u></b></p>

Type of complaint Chair of LGB	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 4</b> Request to the Trust Board to review the process undertaken by the Trust. <b>This review will not</b> investigate the original complaint.</p>	<p>Chair of the Trust Board Trust to note date of receipt.</p>	<p>Within 15 working days of receiving the request for a review..</p>	<p><b>The complaint is deemed closed</b></p>

### (C) Complaints Against Headteachers

Type of complaint Headteacher	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>(a) <u>INFORMAL</u></b>            Email, telephone, letter to  <b>The Chief Executive</b>  <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p>	<p>Chief Executive</p>	<p>No later than <b>10 working days</b> after the date of the first contact.</p> <p>Trust should record date of response</p>	<p>The Complainant has a further <b>14</b> days from receipt of the <b>Chief Executive's response</b> to request that the complaint be made formal by email to the asking the matter to be investigated to the <b>Chair of the LGB via the academy</b></p> <p>If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Chief Executive</b> response ,it is deemed <b>the complaint is closed.</b></p>
	<b>FORMAL</b>	<b>PROCEDURE</b>	
<p><b><u>Stage 1</u></b>            Formal request to <b>Chair of the LGB via the academy</b> for investigation stating why the informal response from the Chief Executive is not satisfactory.</p>	<p>Chair of the LGB</p> <p>Trust should record the date of the <b>Stage 1</b> request</p>	<p>No later than <b>10 working days</b> after the <b>Stage 1</b> request has been received.</p> <p>Trust should note date of the response</p>	<p>The Complainant has a further <b>14</b> days from receipt of <b>Chair of the LGB</b> response to request that the complaint be considered at <b>Stage 2</b> of the formal process</p> <p>In this instance the complainant should email the <b>Headteacher PA or the Academy Business Manger</b> requesting that a panel of the LGB be established to hear the complaint.</p> <p>If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Chair of the LGB</b> response, it is deemed <b>the complaint is closed.</b></p>

Type of complaint Headteacher	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 2</b></p> <p>Formal request to the Headteacher PA or the Academy Business Manger requesting that a panel of the LGB be established to hear the complaint investigation stating why the Chair of the LGB response is not satisfactory.</p>	<p>Business Manager</p>	<p>A panel should have convened no later than 21 working days after the Stage 2 request has been received. Academy should note date of request</p>	<p>Complainant has a further 14 days from receipt of the Business Manager response to request that the complaint be considered at Stage 3 of the formal procedure by email to the Clerk of the Trust contact @consilium-at.com If no further request is submitted by the complainant by the 15<sup>th</sup> day following the Business Manager's response ,it is deemed <b>the complaint is closed.</b></p>
<p><b>Stage 3</b></p> <p>Formal request to the Clerk to the Trust to establish an independent panel chaired by the CEO and consisting of two other independent Governors.</p>	<p>The Clerk to the Trust.</p>	<p>A panel should have convened no later than 15 working days after the Stage 3 request has been received. Trust should note date of request</p>	<p>The Clerk to the Trust will inform the complainant within 10 working days of the panel meeting of the outcome of the Independent panel</p> <p><b>In the case of the Trust the complaint will now be deemed closed.</b></p> <p>The complainant may request the Trust Board to review the procedure undertaken by the Trust within 7 days of receiving the Outcome by emailing <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p> <p><b><u>PLEASE NOTE THIS IS AN OFFICE BASED REVIEW. FOR COMPLIANCE PURPOSES ONLY.</u></b></p>

Type of complaint Headteacher	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 4</b> Request to the Trust Board to review the process undertaken by the Trust. <b>This review will not</b> investigate the original complaint.</p>	<p>Chair of the Trust Board Trust to note date of receipt.</p>	<p>Within 15 working days of receiving the request for a review..</p>	<p><b>The complaint is deemed closed</b></p>

**(D) Complaints against Central Trust Staff**

<b>Type of complaint Central Trust based</b>	<b>Who needs to respond</b>	<b>When do they need to respond by</b>	<b>What happens after response issued</b>
<p><b>(a) <u>INFORMAL</u></b> Email, telephone, letter or personal visit</p>	<p>Director of Operation* (if the complaint relates to the Director of Operations then it would be the Director of Finance. The Trust should record the date of first contact.</p>	<p>No later than <b>10 working days</b> after the date of the first contact.  The Trust should record date of response</p>	<p>The Complainant has a further <b>14</b> days from receipt of the Trust response to request that the complaint be made formal by email or writing to the <b>Director of Finance</b> <a href="mailto:Contact@consilium-at.com">Contact@consilium-at.com</a> asking the matter to be investigated If no further request is submitted by the complainant by the <b>15th</b> day following the Trust response ,it is deemed <b>the complaint is closed.</b></p>
<p align="center"><b><u>Stage 1</u></b> Formal request to the <b>Director of Finance</b> for investigation stating why the informal response is not from the Director of Operations is not satisfactory..</p>	<p align="center"><b>FORMAL</b></p> <p>Director of Finance  Trust should record the date of the <b>Stage 1</b> request</p>	<p align="center"><b>PROCEDURE</b></p> <p>No later than <b>10 working days</b> after the <b>Stage 1</b> request has been received. Academy should note date of the response</p>	<p>The Complainant has a further <b>14</b> days from receipt of the <b>Director of Finance</b> response to request that the complaint be considered at <b>Stage 2</b> of the formal procedure by email or writing to <b>the Chief Executive</b> <a href="mailto:Contact@consilium-at.com">Contact@consilium-at.com</a> asking the matter to be investigated. If no further request is submitted by the complainant by the <b>15th</b> day following the Headteachers response, it is deemed <b>the complaint is closed.</b></p>

Type of complaint Central Trust based	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b><u>Stage 2</u></b> Formal request to the <b>Chief Executive</b> for investigation stating why the <b>Director of Finance</b> response is not satisfactory.</p>	Chief Executive	No later than 10 working days after the <b>Stage 2</b> request has been received. Trust should note date of request	<p>The Complainant has a further <b>14</b> days from receipt of the <b>Chief Executive response</b> to request that the complaint be considered at <b>Stage 3</b> of the formal procedure by email The Chief Executive <a href="mailto:Contact@cosilium-at.com">Contact@cosilium-at.com</a> If no further request is submitted by the complainant by the <b>15<sup>th</sup></b> day following the <b>Chief Executive</b> response ,it is deemed <b>the complaint is closed.</b></p>
<p><b><u>Stage 3</u></b> Formal request to the to request a panel of the Trust Board hearing stating why the <b>Chief Executive response</b> is not satisfactory. The complainant must set out in detail where the procedure has not been complied and what outcomes the complainant is wishing to achieve. Email or letter only</p>	Officer of The Trust	The panel should be convened no later than 21 working days after the <b>Stage 3</b> request has been received. Academy should note date of request.	<p>The complainant will receive the Outcome of the Panel deliberations no later than 10 working days from the date of the meeting. <b>In the case of the Academy the complaint will now be deemed closed.</b></p> <p>The complainant may request the Trust to review the procedure undertaken by the academy. within <b>7</b> days of receiving the Outcome by emailing <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p> <p><b><u>PLEASE NOTE THIS IS AN OFFICE BASED REVIEW. FOR COMPLIANCE PURPOSES ONLY.</u></b></p>

Type of complaint Central Trust based	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 4</b> Request to the Trust Board (remaining Trustees) to review the process undertaken by the Trust. <b>This review <u>will not</u></b> investigate the original complaint.</p>	<p>Chair of the Trust Trust to note date of receipt.</p>	<p>Within 15 working days of receiving the request for a review..</p>	<p>The complaint is deemed closed</p>



### (E) Complaints Against Governors

Type of complaint	Who needs to respond	When do they need to respond by	What happens after response issued
<b>Member of LGB</b>			
<p><b>(a) <u>INFORMAL</u></b>            Email, telephone, letter to Chair of LGB via the Academy.</p>	Chair of LGB	No later than <b>10 working days</b> after the date of the first contact.  Academy should record date of response	The Complainant has a further <b>14</b> days from receipt of the Academy response to request that the complaint be made formal by email to the <b>Clerk to the Trust</b> asking the matter to be investigated contact @consilium-at.com If no further request is submitted by the complainant by the <b>15h</b> day following the <b>Chair of LGB</b> response ,it is deemed <b>the complaint is closed.</b>
	<b>FORMAL</b>	<b>PROCEDURE</b>	
<p style="text-align: center;"><b><u>Stage 1</u></b></p> Formal request to <b>Clerk to the Trust</b> for investigation stating why the informal response is not satisfactory.	Clerk to the Trust  Trust should record the date of the <b>Stage 1</b> request	No later than <b>10 working days</b> after the <b>Stage 1</b> request has been received. Trust should note date of the response	The Complainant has a further <b>14</b> days from receipt of <b>Clerk to the Trust</b> response to request that the complaint be considered at <b>Stage 2</b> of the formal procedure by email to the <b>Director of Operations</b> contact @consilium-at.com asking the matter to be investigated. If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Clerk to the Trust</b> response, it is deemed <b>the complaint is close</b>

Type of complaint Chair Of LGB	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 2</b></p> <p>Formal request to the <b>Director of Operations</b> for investigation stating why the <b>Clerk to the Trust</b> response is not satisfactory.</p>	<p>Director of Operations</p>	<p>No later than 10 working days after the <b>Stage 2</b> request has been received.</p> <p>Trust should note date of request</p>	<p>Complainant has a further <b>14 days</b> from receipt of the <b>Director of Operations response</b> to request that the complaint be considered at <b>Stage 3</b> of the formal procedure by email to the <b>Chief Executive</b> contact <a href="mailto:contact@consilium-at.com">@consilium-at.com</a></p> <p>If no further request is submitted by the complainant by the <b>15th</b> day following the <b>Director of Operations response</b>, it is deemed <b>the complaint is closed.</b></p>
<p><b>Stage 3</b></p> <p>Formal request to the to request a panel of the Trust Board hearing stating why the <b>Director of Operations response</b> is not satisfactory.</p> <p>The complainant must set out in detail where the procedure has not been complied and what outcomes the complainant is wishing to achieve. Email or letter only</p>	<p>The Chief Executive</p>	<p>The panel should be convened no later than 21 working days after the <b>Stage 3</b> request has been received.</p> <p>The panel will be made up of 3 LGB members not from the Academy concerned</p> <p>Academy should note date of request</p>	<p>The complainant and the Academy will receive the Outcome of the Panel deliberations no later than 10 working days from the date of the meeting.</p> <p><b>In the case of the Academy the complaint will now be deemed closed.</b></p> <p><b>In the case of the Trust the complaint will now be deemed closed.</b></p> <p>The complainant may request the Trust Board to review the procedure undertaken by the Trust within <b>7</b> days of receiving the Outcome by emailing <a href="mailto:contact@consilium-at.com">contact@consilium-at.com</a></p> <p><b><u>PLEASE NOTE THIS IS AN OFFICE BASED REVIEW. FOR COMPLIANCE PURPOSES ONLY.</u></b></p>

Type of complaint Chair of LGB	Who needs to respond	When do they need to respond by	What happens after response issued
<p><b>Stage 4</b></p> <p>Request to the Trust Board to review the process undertaken by the Trust.</p> <p><b>This review will not</b> investigate the original complaint.</p>	<p>Chair of the Trust Board Trust to note date of receipt.</p>	<p>Within 15 working days of receiving the request for a review..</p>	<p><b>The complaint is deemed closed</b></p>



## **Guidance notes to Raising a Complaint**

### **Informal Complaint**

Most concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class teacher, admin team or other staff member, depending upon whom is approached in the first instance by contacting the school directly. Each school and the Trust provides contact details on their website. A list of websites is provided at the end of this document.

Parents/Carers/Service Users and members of the school community can raise concerns with staff without formality, either in person, by telephone or in writing. If the member of staff is unable to deal with the issue they will refer it to the person with responsibility for the particular issue. If the concern relates to **the Headteacher or a Governor**, the complainant should be advised to contact the **Chair of the Governing Body**. Where no satisfactory solution has been found **within 10 school days**.

At the end of this **10 School day period**, the Complainant should contact the **Headteacher/ Principal to request that the complaint move to stage 1 a Formal Complaint**

If the nature of the complaint directly relates to an individual pupil's identified special educational need or disability, parents are advised to communicate directly with the school SEND and/or Headteacher in the first instance. Additional advice and guidance can be found on the school's website. Your child should also have an agreed Education, Health & Care Plan supported by the relevant Local Authority. If this cannot be resolved using the statutory process for EHCP please use the complains procedure outlined below.

However please be aware that neither the Local Governing Body or the Trust Board can change an agreed EHCP or operate outside of this provision, provide additional resources or other alternatives so a complaint will only be heard where there is clear evidence that this plan is not being delivered appropriately.

If the complaint is about a member of the School Staff, the complainant should **write to the Headteacher** in the first instance. The Headteacher should investigate and reply to the complainant with **10 school days from the date of the request to escalate to the Formal procedure**. Where no satisfactory solution has been found **within the said 10 school days** at the end of this **period**, the Complainant can contact the **Chair of the Local Governing Board by writing to the school** and **ask for the complaint to be moved to the Second Stage**.

**This request must be received by the Chair no more than 14 Days from the receipt of the Headteacher/Principals investigation and outcome**

## **Formal Complaint Process Guidance**

### **Stage 1 Referral to the Headteacher for Investigation**

At this stage it is clear that the concern cannot be resolved informally and is a complaint. The Headteacher can designate another member of staff to collect some of the information from the various parties. The Headteacher will acknowledge the complaint orally or in writing within 5 school days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaint procedure and a target date for a response. Every effort will be made to achieve a swift resolution. The Headteacher will provide an opportunity for the complainant to meet accompanied by a friend or relative if they wish. Legal representation will not be agreed.

If necessary, the Headteacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, with appropriate support provided and parental consent received. A written record of the investigation will be made and retained as appropriate. Once all the relevant facts have been established the Headteacher (or designate) will produce a written response to the complaint, including full explanation of the decision and the reasons for it. This will be provided to the **complainant within 10 school days of the Stage 1 Request being received** by the Academy

Where appropriate the notification letter will include what action the school will be taking to resolve the complaint

If the complaint is against the action of the Headteacher, or if the Headteacher has been very closely involved at Stage 1, the Chair of the Governing Body should carry out all the Stage 1 procedures. The Trust reserves the right to appoint an appropriate alternative officer from the wider trust.

## **STAGE 2 Chair of the LGB**

If the complainant is unhappy with the outcome of the Headteacher investigations the complainant has **10 school days** from the receipt of the outcome of the Headteacher investigation to ask for the matter investigated by the Chair of LGB. The Chair of Governors has 10 School days in which to respond to the complainant

If the complainant is for any reason unhappy with the Chair's findings and response, the complainant **must write to the Nominated Officer Complaints Officer based at the Academy, within the 14 days, of receipt of the findings setting out** the complaint(s) they still wish to pursue and the outcome they are seeking.

The complainant should say clearly whether they wish to proceed to Stage 3 of the Complaints Procedure no later than **14 days from the date of the Chair's response** if no indication has been received that the complainant wishes to proceed to Stage 3, the complaint will be seen as resolved

### **Format for Stage 3 – Review**

The complainant will be required to submit a written request for the complaint to proceed to Stage 3. The request will only be considered if stage 1 and 2 have been exhausted OR in exceptional circumstances where the complaint is felt to be serious enough that stage 1 and 2 are not sufficient. **The Clerk to the Governing Body/ Business Manager / Nominated Officer will acknowledge receipt of the written complaint within 5 working days of receipt of the complaint.** This will include an outline of the process to be followed.

A Panel (formed including 2 members of the governing body and chaired by an independent person who is not a governor of the academy and where necessary wider trust) will be convened to hear the complaint **within 21 Working days** of the receipt of the complaint and all members of the panel will receive all the relevant documentation **5 working days** before the panel sits. In certain circumstances – depending on the nature of the complaint and the investigation requirements - this timescale may need to be extended.

The Headteacher / Principal will operate as lead officer. The Trust reserves the right to appoint an alternative lead designate person where necessary. The complainant will be kept fully informed throughout the process.

The Clerk to the Governing Body or nominated officer will write and inform the complainant, the Headteacher, and any relevant witnesses and members of the Complaints Panel of the date, time and place of the meeting. They will also provide information relevant to the panel hearing provided through the investigation process. The complainant has the right to be accompanied by a friend or relative at the hearing.

Legal representations will not be agreed. It is the responsibility of the Chair of the Panel to ensure that the hearing is properly managed. The aim of the hearing is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations, which will satisfy the complainant that his or her complaint has at least been taken seriously.

In accordance with the Education (Independent School Standards) Regulations 2014

- When a complainant requests their complaint to be heard under Stage 3 The Complaints Panel (Stage 3) appointed by or on behalf of the TRUST will consist of at least **three persons** who were not directly involved in the matters detailed in the complaint and **one of those persons will be independent** from the management and running of the school.
- The findings and recommendations of the Complaints Panel will be available for inspection on the Academy premises by the TRUST and the Headteacher/ Principal

- **Each Academy will maintain written record will be kept of all complaints received together with details of how they were resolved following a formal procedure, or progression to a panel hearing; this will be reported to the Trust on annual basis.**

**The format for all Stage 3 hearings will be as follows:**

- (a) The complainant to explain their complaint and the Headteacher to explain the School response.
- (b) The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher about the school response.
- (c) Panel members to have an opportunity to question both the complainant and the Headteacher.
- (d) Either party to have the right to call witnesses (subject to the prior approval of the Chair of the Panel) and all parties having the right to question all the witnesses.
- (e) Final statements presented by both the Complainant and the Headteacher/ Principal without introducing new evidence.
- (f) The Panel, supported by the Clerk, will withdraw to consider its decision. The Complainant, Headteacher, any other members of staff and witnesses will leave.
- (g) The Panel will then consider the complaint and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
- (h) Where possible the decision will be provided verbally to all parties depending on the length of time needed for consideration. **A written statement outlining the decision of the Panel will be sent to the Complainant and the Academy, within 10 working days.** The letter will also explain whether a further appeal can be made, and if so, to whom.
- (i) The panel operate on behalf of the Local Governing Body. Within the Academy procedure the panel's decision is final. If the complainant feels that the panel has acted unreasonably or not followed the correct procedure, they can move to stage 4 of the procedures and contact the Trust Board.
- (j) The Outcome of all stage 3 Panels will be held at the Academy and be available for the Trust.



If you are not satisfied about the handling of their complaint, please contact the ESFA via the ESFA schools' complaints form.

: <https://form.education.gov.uk>

**Websites and General contact details:**

**Trust - Consilium Academies** email: [ConsiliumAcademies@consilium-at.com](mailto:ConsiliumAcademies@consilium-at.com) [www.consilium-at.com](http://www.consilium-at.com)

**School Partners –**

Armthorpe Academy	<a href="http://www.armthorpeacademy.org.uk">www.armthorpeacademy.org.uk</a>
Buile Hill Visual Arts College	<a href="http://www.builehillvisualartscollege.co.uk">www.builehillvisualartscollege.co.uk</a>
Ellesmere Park High School	<a href="http://www.epps.org.uk">www.epps.org.uk</a>
Heworth Grange School	<a href="http://www.heworthgrange.org">www.heworthgrange.org</a>
Moorside High School	<a href="http://www.moorsidehigh.co.uk">www.moorsidehigh.co.uk</a>
Thornhill Academy	<a href="http://www.thornhillschool.org.uk">www.thornhillschool.org.uk</a>
Washington Academy	<a href="http://www.washingtonschool.co.uk">www.washingtonschool.co.uk</a>
Wyvern Academy	<a href="http://www.wyvernacademy.org">www.wyvernacademy.org</a>

**Martin Shevill**

**Chief Executive**

**March 2019.**



**Partnership, Opportunity and Integrity**