



ABOUT THIS DOCUMENT:

Purpose

These procedures are in place to enable any complaint to be raised in the appropriate way so that they can be resolved as quickly and efficiently as practically possible.

COMPILED BY

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To be reviewed as necessary and at least every 2 years

Creating Tomorrow Multi Academy Trust

Complaints Procedures

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Wellbeing in our Trust

Managing a complaint can be challenging and so this document aims to set out procedures to be followed to minimize what can be a difficult process.

We are all affected by poor mental health at times during our lives and it is important the appropriate support is available in a timely manner.

Health and wellbeing is everyone's responsibility and we encourage an open and honest culture whereby anyone can discuss any issues they may have.

The Trustees of Creating Tomorrow take the health of all employees seriously and are committed to supporting our staff. The Trustees ensure that support for staff is available through:

- Effective line management
 - Commitment to reducing workload
 - Supportive and professional working environments
 - Employee support programs
 - CIC (confidential counselling support available through Perkbox account).
 - The Teacher Support Line telephone number 08000 562561
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1. Aims

Our trust aims to meet its statutory obligations when responding to complaints from parents of children at our schools, and from other people or professionals.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We will try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

Creating Tomorrow academies trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the trust website and those of each school.

Throughout the process we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

This policy aims to promote and embed the core values of Creating Tomorrow academies trust:

- Respect
- Inclusion
- Achievement

Our core values define how we expect everyone within the trust to conduct themselves on a day to day basis and act as a guide to ensure safe, positive and professional behaviour. The trust expects everyone (including those not employed by Creating Tomorrow academies trust) to be treated with respect and dignity and will not tolerate aggressive behaviour, either verbal or physical.

Relationships are at the heart of everything we do, and the quality of relationships is a strong factor underpinning any concern or complaint. Through building positive relationships we hope that we be able to manage any concern or complaint quickly to ensure effective working is resumed and so to benefit everyone.

Across the trust we work to develop:

- Relationship with self;
- Relationship with others;
- Relationship with the curriculum.

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2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

This document meets the requirements of section 35 of the schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011, which states that non-maintained special schools must have, and make available, a written procedure to deal with complaints relating to their school.

It also refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and scope

3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

Our schools will resolve concerns through day-to-day communication as far as possible

- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

3.2 Scope

Creating Tomorrow academies trust intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents in regards to the school's support for their child's SEN needs are within the scope of this policy. Such complaints should first be made to the headteacher / head of school; they will then

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be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher / head of school / Chief Executive Officer or complaints committee which includes the facts and potential solutions

4.3 Clerk to the Trustees

If the process progresses to the complaints committee the clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.4 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

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5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

6. Stages of complaint (not complaints against the headteacher or governors)

As Creating Tomorrow academies trust comprises non-maintained special schools there must be at least 3 stages to our complaints procedure: an informal stage, a formal stage and review by an independent individual. The procedure sets out clear timescales for the management of the complaint.

In all stages of the complaint the headteacher / head of school may refer the complaint to the trust board and in this case the complaint will be dealt with by the Chief Executive Officer / Chief Operating Officer, as appropriate.

In all subsequent stages please read that if the complaint is referred by the headteacher / head of school to the trust then the Chief Executive Officer / Chief Operating Officer (as appropriate) replaces the role of headteacher / head of school

6.1 Stage 1: informal

Creating Tomorrow academies trust will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the headteacher / head of school, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school or trust – please see contact details for the trust and each school (Section 14).

We will always try to acknowledge informal complaints within 5 school days, and investigate and provide a response within 15 school days.

The informal stage will involve a meeting between the complainant and the headteacher / head of school and subsequently the subject of the complaint, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

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6.2 Stage 2: formal

Formal complaints can be raised:

- By letter or email
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school or trust office (please see section 14).

The headteacher / head of school (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The headteacher / head of school (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the trust board within 5 school days.

How to escalate a complaint

Complaints can be escalated by contacting the clerk to the trust board:

- By letter or email
- In person
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The written conclusion of this investigation will be sent to the complainant within 15 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the trust board in writing within 5 school days. Requests received outside of this time frame will be considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within 5 school days.

6.3 Stage 3: review panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

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The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher / head of school.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 10 school days.

7. Complaints against the headteacher / head of school, Trust Leadership, a governor or the governing board, a trustee or the trust board

7.1 Stage 1: informal

Complaints should be directed to the clerk to the trust board in the first instance.

If the complaint is about the Headteacher / head of school, member of the Trust Leadership Team or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial trustee will carry out the steps at stage 1 (set out in section 6 above).

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If the complaint is against a trustee of the trust board, then the Chair or Vice Chair of Trustees will carry out the steps at Stage 1 and subsequent following steps.

If the complaint is against the Chair or Vice Chair of the Trustees, or the trust board as a whole, then one of the trust's members will take advice from the National Governors Association and this may mean carrying out the following steps with support from another trust, or that the complaint is referred directly to the Education and Skills Funding Agency (ESFA).

7.2 Stage 2: formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the trust board, and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent trustees will hear the complaint. They will be sourced from local trusts or the local authority and will carry out the steps at stage 3 (set out in section 6 above).

In the event of a

8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the trust's complaints procedure, they can refer their complaint to the Education Skills and Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a trust's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the trust did not comply with its own complaints procedure
- Whether the trust was in breach of its funding agreement with the secretary of state
- Whether the trust has failed to comply with any other legal obligation

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

For more information or to refer a complaint, see the following webpage:

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

We will include this information in the outcome letter to complainants.

9. Persistent complaints

9.1 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 the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information

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- 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, refused 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 or trust 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 or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any of the trust's sites.

9.2 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 new aspects, we will follow this procedure again.

9.3 Complaint campaigns

Where the trust or school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the trust or school, we may respond to these complaints by:

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

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

10. Record keeping

The trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole trust / governing board in case a review panel needs to be organised at a later point.

Where the trust or governing board is aware of the substance of the complaint before the review panel stage, the trust will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the trust board, who will not unreasonably withhold consent.

11. Learning lessons

The Business, Performance Pay and Personnel Committee of the trust board will review any underlying issues raised by complaints with the headteacher / head of school / Chief executive Officer / Chief Operating Officer where appropriate, and respecting confidentiality, to determine whether there are any improvements that the trust or school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring arrangements

The Business, Performance Pay and Personnel Committee will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Business, Performance Pay and Personnel Committee will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the trust's HR Operation Manager.

This policy will be reviewed by Chief Executive Officer every 2 years.

At each review, the procedures will be approved by the full board of trustees.

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13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

14. Contact details for complaints

- Creating Tomorrow Multi Academy Trust
 - Isebrook School, Eastleigh Road, Kettering, Northamptonshire, NN15 6PT
 - Tel: 01536 500030
 - Email: clerk@creatingtomorrowmat.co.uk
 - www.creatingtomorrowmat.co.uk
- Isebrook SEN Cognition & Learning College
 - Eastleigh Road, Kettering, Northamptonshire, NN15 6PT
 - Tel: 01536 500030
 - Email: ioffice@isebrook.co.uk
 - www.isebrooksen.co.uk
- Wren Spinney Community Special School
 - Westover Road, Kettering, Northamptonshire, NN15 7LB
 - Tel: 01536 481939
 - Email: office@wrenspinney.co.uk
 - www.wrenspinney.co.uk
- Daventry Hill School
 - Ashby Road, Daventry, Northamptonshire, NN11 0QE
 - Tel: 01327 703135
 - Email: info@daventryhillschool.org.uk
 - www.daventryhillschool.co.uk
- Clerk to the Trustees
 - Eastleigh Road, Kettering, Northamptonshire, NN15 6PT
 - Tel: 01536 500030
 - clerk@creatingtomorrowmat.co.uk