

# HEARTS Academy Trust

## COMPLAINTS PROCEDURE



HEARTS ACADEMY TRUST

**Adopted by the Directors on:** April 2018

**To be reviewed:** May 2020

# HEARTS Academy Trust

## MISSION STATEMENT

The schools of the **HEARTS** Academy Trust are committed to providing a happy, caring and safe learning environment for all within a values led context, where everyone feels valued and grows in confidence and independence.

We promote **happiness** through a creative, exciting and practical curriculum, which generates a love of, and interest in, learning and a resilience and hope which supports us through challenging times.

Great value is placed on pupils' self **esteem** which is developed through a positive and motivated attitude to learning, a healthy lifestyle, good social skills, self-discipline and a positive self-image.

We promote the highest standards of **achievement** in all areas of the curriculum and help all pupils to fulfil their potential regardless of gender, race or ability.

We foster **respect** and **responsibility** for all by establishing good relations between the school and home and community. Pupils are taught respect for themselves, others and the environment. They are also taught to take full responsibility for their own choices and responsibility for themselves and their community.

We encourage **truth** and honesty in all aspects of school life – relationships, work and the curriculum and learn to trust and accept others' individuality and uniqueness.

We develop **spirituality** and **service** so that calm, quiet, reflective times which support deep thought are part of school life and beauty is appreciated. We promote a service culture that reflects our duty to support and show compassion to all members of the community and not just ourselves.

## HEARTS Academy Trust: Complaints Procedure

### Compliments

These are always welcome and very encouraging to teachers and staff. The Trust encourages feedback or opinions from pupils, parents and carers. In practice this dialogue is continuous, sometimes directly and also indirectly, for example, through the Parents' Association. It may not always be possible to act immediately but pupils and the school always benefit so please don't hold back.

### Concerns

It is natural that parents or other interested parties may, occasionally, be concerned about an aspect of their child's education, welfare at school or other operational aspect of Trust matters. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents or other interested parties about any matter. Teachers and staff will explain the school practices, policies, and how they affect the pupils. The vast majority of concerns will be handled by the Class Teacher or Administrator if this is more helpful. If in doubt, keep asking until you are completely satisfied as all staff are eager to help.

The way forward is to speak to the child's class teacher in the first instance, or to contact the school office to arrange an appointment to discuss your concern. At all times the staff will help to resolve a problem. If occasionally parents or other interested parties feel they must state their concern formally, this too is not a problem. The school has defined procedures for handling complaints so don't be embarrassed if you feel an issue warrants more attention.

### Complaints

Complaints can only be heard about a situation that has occurred in the previous three months. Complaints from a member of staff would be dealt with via the grievance procedure. At no stage in the complaints process will information be shared about another pupil, parent or staff member.

If you have spoken to the Class Teacher or Administrator and feel your concerns need formalizing, you should do so using the following stages:

**Stage 1** is where written complaints are considered by the Head of School or a designated LAB Member if the complaint is about the Head of School.

**Stage 2** is the where the complaint is escalated to the Executive Headteacher. If the Head of School has a dual role as Executive Headteacher, the complaint would be escalated to an Executive Headteacher from elsewhere in the Trust.

**Stage 3** is the next step once Stage 2 is complete. It involves a complaints review panel of LAB/Trustee Members.

All staff are familiar with the guidelines and have a duty to help parents and interested parties needing advice. Please don't feel you are making a fuss. These procedures have been carefully compiled and their reference, however rare, is routine to help pupils, parents, carers, interested parties and the school.

# Complaints procedures

## Our procedures for dealing with concerns and complaints

### Concern – verbal communication with the school/Trust

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's teacher or the school office.
2. We will see you, or contact you by telephone, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this with you.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.

### Stage 1 – Your written contact with the school

1. Normally, your written complaint should be addressed to the Head of School. If, however, your complaint concerns the Head of School personally, it should be sent to the school marked "For the attention of the Chair of Local Advisory Board". A formal complaint should explain what resolution is wanted by the complainant.
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The Head of School, or Local Advisory Board may also be accompanied by a suitable person if they wish.

### Stage 2 - Escalated consideration of your complaint

This stage in our procedures escalates written complaints to the Executive Headteacher. It applies where you are not happy with the local approach to dealing with your concern, as outlined under Stage 1 above.

1. If you are not satisfied with the result of the Stage 1 complaint, you may request that it is escalated to Stage 2, where the Executive Headteacher will investigate.
2. The EHT will talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
3. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
4. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
5. The Executive Headteacher will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
6. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of their decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
7. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the next page for further information about this process.
8. If we do not close the complaint after Stage 2, you may wish to proceed to Stage 3, as described below.

### Stage 3 - Consideration by a complaints review panel

- If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we will set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of Trustees/LAB Members who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent/carer or other interested party. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The Clerk to the Trustees will aim to arrange for the panel meeting to take place within **20 working days**. The panel of 3 people will be drawn from Jo Bradbury (Chair of LAB at Waterman Primary School and Stambridge Primary School), Vaughan Collier (Chair of Local Advisory Board at Briscoe Primary School), Emma Doe (Chair of Local Advisory Board at Wickford Church of England School) John Young (Chair of Local Advisory Board at the Hilltop schools) and one person (acting as chair) who will be independent of the management and running of the Trust but has governance experience of hearing complaints and is available at the time of the hearing. LAB Members will not sit on a panel in their own school.
2. The Clerk will ask you whether you wish to provide any **further written documentation** in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish. You should say what actions you feel might resolve the problem.
3. The Head of School will be asked to prepare a **written report** for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the Head of School, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the Clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit **further written evidence** to the panel.
6. The letter will explain what will happen at the panel meeting and the Clerk will also inform you that **you are entitled to be accompanied** to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly

connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.

7. With the agreement of the Chair of the panel, the Head of School may invite **members of staff** directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to **put you at your ease**.
9. As a general rule, no evidence or witnesses **previously undisclosed** should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The Chair of the panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked to maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
  - you to explain your complaint;
  - you to hear the school's response from the Head of School;
  - you to question the Head of School about the complaint;
  - you to be questioned by the Head of School about the complaint;
  - the panel members to be able to question you and the Head of School;
  - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
  - you and the Head of School to make a final statement.
13. In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Head of School and yourself **within two weeks**. All participants other than the panel and the Clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a unanimous, or at least a majority, decision on the complaint;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend, where appropriate, to the Board of Trustees changes to the school's systems or procedures to ensure that similar problems do not happen again.



15. The Clerk will send you and the Headteacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain what further recourse, beyond the Board of Trustees, is available to you.
16. We will keep a copy of all correspondence and notes on file in the school's records for six years but separate from pupils' personal records.

## **Other sources of information and advice**

If your concern is about an aspect of **special educational needs and disability provision**, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to the Essex **Parent Partnership** team on their helpline: **01245 436036**.