



COMPLAINTS POLICY AND PROCEDURE

Responsibility of (<i>see policy tracking sheet</i>):	Trust Board
Approved by:	Trust Board
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1. Introduction

- 1.1 Saracens Multi-Academy Trust (SMAT) and its schools are committed to supporting pupils and parents, guardians or carers in the achievement of individual excellence. Through our values of Discipline, Hard Work, Honesty and Humility we seek to build trust, knowledge, reciprocity and shared behavioural norms that create a quality of life in our schools for staff and pupils that will be both enjoyable and productive.
- 1.2 The schools in the SMAT are required to have a complaints policy and procedure detailing the requirements set by the Education (Independent School Standards) (England) Regulations 2014 and to make this policy and procedure available to parents, pupils, guardians and carers. This policy and procedure has also been prepared with regard to the Best Practice Guidance for Academies Complaints Procedures published by the Education and Skills Funding Agency (ESFA) in March 2021.

2. Aims

- 2.1 The schools in SMAT seek to work in a way to avoid any complaints, but if there is any cause to complain, please bring it to the school's attention as soon as possible. It is an important priority for the schools to achieve excellent relationships with parents, guardians, carers, neighbours and local organisations.
- 2.2 Pupils, staff and governors will always try to:
 - be welcoming when you visit
 - be courteous and friendly when you make contact
 - be sympathetic to your views and needs
 - be efficient in what we do
 - be serious in the way we treat you
 - be interested in your views
 - be responsive to criticism
 - be understanding about your problems
 - respect confidentiality (except where there is a legal obligation to provide information to an outside organisation).

3. Important information about how we handle complaints

- 3.1 In order to ensure that we can fairly and effectively deal with a complaint, we will only accept complaints from parents, guardians and carers of pupils and pupils themselves whilst the pupil attends a SMAT school and for a period of three months after they leave.
- 3.2 If other bodies investigate aspects of your complaint (for example, the Police or the safeguarding team) this may impact on our ability to meet the timescales detailed in this policy and procedure. If this happens, we will let you know of the proposed new timescale.
- 3.3 The school will not normally investigate anonymous complaints, but the Principal or Chief Executive Officer (CEO) [if applicable] will decide whether such a complaint warrants investigation.
- 3.4 Where the school or Trust is the focus of a campaign of complaints, (for example all based on the same subject or from complainants unconnected with the school or

SMAT), the school or Trust may decide to treat them as a single complaint and respond sending a template response, or publish their response on the school and/or Trust website.

- 3.5 Where a school or the Trust is subject to serial or persistent complaints from an individual or group of individuals, the CEO may choose to restrict the point and frequency of contact from that individual/s.
- 3.6 Remember that it will be far easier to deal with your complaint if the school and/or Trust have time to investigate it.
- 3.7 Where the complaint relates to the Principal, a member of the Local Governing Body (LGB), the entire LGB, the CEO, a Trustee, or the entire Trust Board, the process for handling the complaint is detailed in Appendix 1 of this policy and procedure.
 - 3.7.1 Schools within the SMAT will deal with complaints from people who are not parents, guardians or carers of attending pupils in the same way, by following a similar procedure to that laid out in Appendix 1. Only complaints made within 3 months of subject matter of the complaint will be considered. Complaints may only be escalated through the stages (see Section 4) if the escalation takes place within the periods set out in this policy and procedure.
- 3.8 We will provide written responses where appropriate and if requested.
- 3.9 When responding at each stage of the complaint, we will advise you of the next stage of the procedure if you are not satisfied with the outcome.
- 3.10 We will not tolerate abusive language or behaviour at any time, and reserve the right to postpone the process should we feel that the welfare of staff, pupils and /or governors are at significant risk.

4. Procedures

4.1 The Three Stages

Saracens schools have a three-stage process for dealing with complaints with each step following the previous step if the complaint remains unresolved. Initially a school will always try and resolve issues informally. If this is unsuccessful a more formal process will follow. Further details of each stage, together with roles and responsibilities of staff involved, can be found within this policy and procedure.

The three stages are:

- Stage 1 - The informal complaint is addressed by a member of staff
- Stage 2 - The formal complaint is heard by the Principal
- Stage 3 - The formal complaint is heard by a Governors' Complaints Panel appointed by the LGB.

4.2 Complaining to the school

If you have a complaint, please let the school know immediately, by:

- Telephoning or writing to the member of staff in question (stage 1) - see Section 4.4
- Writing to the Principal, explaining the details of your complaint (stage 2) - see Section 5.1
- Writing to the Chair of Governors explaining the details of your complaint

(stage 3) - see Section 5.2

- Each step follows the previous step if the complaint remains unresolved.

Visiting, by appointment only (all stages). This is to ensure you will definitely be seen by the appropriate person when you arrive. Please only visit in person without telephoning first if the nature of your complaint relates to child protection or health and safety matters.

4.3 **Before you make contact, please remember that we will need to know:**

- Exactly what happened
- When it happened
- Who was involved
- What you would like us to do to help.

For more serious complaints, please keep a record of your contact with the school. Note down when you made contact, to whom you spoke, what was said, and anything else that might be relevant. Keep copies of letters and emails you send and our replies.

4.4 **Making contact**

Please consider who might be the most appropriate person to deal with your complaint. It could be for example:

- a member of the teaching or support staff
- a Subject or Curriculum Leader
- a member of the Senior Leadership Team
- a Vice Principal
- the Principal
- a Chair of Governors.

4.4.1 Whilst acknowledging that a grave complaint may be more appropriately addressed to a more senior member of staff, please remember that a problem is more likely to be resolved if you approach the member of staff directly involved. However, please remember, all staff and governors appreciate a problem drawn to the school's attention, at whatever level of management attention, rather than leaving it unresolved.

4.4.2 Please tell us if you feel that the school has not dealt adequately with your complaint.

4.4.3 The school will endeavour to meet the deadlines laid out in this policy and procedure, but on occasion when more time is required to establish facts, or a witness is not available it may be necessary to extend a deadline. If this occurs, you will be informed of any delay, the reasons for it and provided with a revised timescale.

4.5 **What will happen to my complaint?**

All Saracens schools will try to deal with complaints as quickly and informally as possible and will acknowledge receipt of your complaint and respond within 10 school days. The school will try to explain the reason for its actions. The school will apologise if it has got something wrong and will take measures to ensure that it does not happen again.

5. What if your complaint is unresolved?

5.1 Complaining to the Principal (stage 2)

If you think that your complaint has not been resolved, then you can make your complaint more formally (stage 2). For fairness and to ensure speedy resolution of issues, you should do this promptly and, in any event, no later than 3 months after the incident/matter being complained about. This complaint must be made in writing to the Principal. You will be advised about your rights and responsibilities and the actions that the school intends to take within 2 school days of receipt of the complaint. Written records will be kept (even if you telephone first). All complaints will be dealt with securely and confidentially at all times, except where any Saracens school has a legal obligation to provide the information to an outside organisation. In other circumstances where information needs to be passed to a third party, your consent will be obtained before the information is passed to them. The Principal will respond to the complaint in writing via a letter or an email within 10 school days.

5.2 Complaining to the Local Governing Body (stage 3)

5.2.1 If your complaint is not resolved or you are not satisfied with the outcome, the next stage is to approach the LGB of the relevant Saracens school. You must do so this within 10 school days of the written response by the Principal (see Section 5.1 above). All complaints to the Governing Body must be in writing and addressed to the Chair and a response will be sent within 10 school days from receipt of the complaint.

5.2.2 The Chair will investigate all complaints with the support of a special Governors' Complaints Panel, depending on the nature of the concern raised. The Governors' Complaints Panel will consist of three people, one or two of whom can be members of the LGB who have had no previous involvement with the complaint. At least one member of the panel will be independent of the school. Parents, guardians and carers will be invited to attend the panel hearing and are welcome to be accompanied by a person of their choosing, but may not be legally represented.

5.2.3 We will ensure that you are given reasonable notice of any Governors' Complaints Panel hearing date.

5.2.4 The panel meeting will be private and electronic recordings of the meeting or conversations are not permitted, unless you have a disability or special need that requires it to be recorded. Such recordings can only take place with the prior consent of all parties attending. No media may attend a panel meeting.

5.2.5 The panel will not normally accept any covertly recorded conversations as evidence, unless all parties to the conversation have given informed consent, prior to the recording.

5.2.6 The outcome and recommendations of any complaints will be sent by the means in which they were received, within 10 school days of the meeting, to the LGB, the complainant and, where relevant, the person complained about. These will also be available for inspection by the Principal and Trustees of SMAT.

5.2.7 In accordance with the Independent School Regulations a written record will be kept of all formal complaints (stage 2 and 3) together with:

- whether they were resolved following a formal procedure, or
- whether they proceeded to a Governors' Complaints Panel hearing; and
- the action taken by the school as a result of those complaints (regardless of whether they are upheld).

5.2.8 Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requires access to them.

5.2.9 The findings of the Governors' Complaints Panel are final.

5.3 **Complaining to Ofsted**

5.3.1 Ofsted has powers to investigate some complaints made in writing from registered parents, guardians or carers of pupils at Saracens schools. However, Ofsted expects complainants to follow the school's complaints procedures first.

If you wish to complain to Ofsted, you can do so online via their website: <https://www.gov.uk/complain-about-school/state-schools>

5.4 **Complaining to the ESFA (part of the Department for Education (DfE))**

5.4.1 The ESFA will consider complaints made directly to them, but expect that complainants will have completed school's procedures first, unless the complaint relates to children at risk of harm or missing education. They cannot overturn a school or Trust's decision about a complaint, but will ensure that the complaint is handled properly in accordance with statutory requirements.

The ESFA can be contacted on 0370 000 2288, or via their website, <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure> , or at

Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

6. Resolution

6.1. Saracens schools and SMAT will always do their best to deal with complaints courteously, seriously, efficiently and fairly and will try to address your concerns.

7. Monitoring and Review

7.1 The Trust Board and the LGBs will monitor the number of complaints received and amend Trust and school policies if appropriate to do so.

7.2 The Trust Board will periodically review this policy and procedure so that it remains aligned with relevant legislation and guidance.

8. Links with Other Policies

This policy and procedure is linked to the:

- Admissions Policy
- Child Protection and Safeguarding Policy
- Confidential Reporting (Whistleblowing) Code
- Data Protection Policy
- Exclusion and Appeals Policy
- Staff Disciplinary Procedures
- Staff Grievance Procedures.

Appendix 1

Where the complaint relates to the Principal, a member or members of the LGB (including the Chair), the entire LGB, the CEO, a Trustee or Trustees, or the entire Trust Board, the process for handling the complaint will follow the same three step process as above, namely:

Stage 1 - Informal

Stage 2 - Formal complaint

Stage 3 - Formal complaint heard by a panel.

The procedure will follow a similar process and principles to those detailed in this policy and procedure, with the following adaptations:

1) Making Contact

If your complaint is about the Principal, or member/members of the LGB, or the entire LGB, or a Trustee/Trustees or the entire Trust Board then please send your complaint to the CEO of SMAT.

If your complaint is about the Trust CEO, please send your complaint to the Trust Chair via the Governance Professional.

The CEO, Governance Professional, Trust Chair and Vice-Chair can be contacted at:
Saracens Multi-Academy Trust c/o Saracens High School
Corner Mead
London NW9 4AS
clerk@saracensmat.org
0208 181 3180

2) Managing the Complaint (Stages 1, 2 and 3)

Unless the complaint is about the Trust CEO, the CEO will determine how your complaint will be managed in accordance with the principles of this policy and in accordance with the same timescales. The CEO will act in accordance with the principle of fairness and may appoint an investigator and/or panel who is independent of the Trust and its schools.

Stage 1 (informal complaint). Your complaint will be investigated and considered by the member of staff, governor or trustee that the CEO considers to have the appropriate skills and experience to consider the complaint. Where the complaint is about the CEO, this decision will be taken by the Chair of the Trust.

Stage 2 (formal complaint). If you think that your complaint has not been resolved, then you can make your complaint more formally (stage 2). For fairness and to ensure speedy resolution of issues, you should do this promptly and, in any event, no later than 3 months after the incident/matter being complained about. This complaint must be made in writing to the Trust CEO unless the complaint is about the Trust CEO, when the complaint should be addressed to the Chair of the Trust.

You will be advised about your rights and responsibilities and the actions that the Trust intends to take two school days of receipt of the complaint. Written records will be kept (even if you telephone first). All complaints will be dealt with securely and

confidentially at all times, except where any Saracens school or the Trust has a legal obligation to provide the information to an outside organisation. The CEO will respond to the complaint in writing via a letter or an email within 10 school days (or the Trust Chair if the complaint is about the Trust CEO).

Stage 3 (panel hearing). If your complaint is not resolved or you are not satisfied with the outcome, the next stage is to approach Trust Board. You must do so this within 10 school days of the written response by the CEO or Trust Chair (see paragraph above). All complaints to the Trust Board must be in writing and addressed to the Chair (Vice Chair if your complaint relates to the Chair) and a response will be sent within 10 school days from receipt of the complaint.

The Chair will investigate all complaints with the support of a Trust Complaints Panel, depending on the nature of the concern raised. The Trust Complaints Panel will consist of three people, one or two of whom can be Trustees who have had no previous involvement with the complaint. At least one member of the panel will be independent of the school and Trust.

Details of how the Trust Complaints Panel will proceed will be in accordance with Section 4.2 of this policy and procedure. Where your complaint relates to the Chair of the Trust, the Vice Chair will appoint the Panel.