

# COMPLAINTS POLICY



All One In A Million Free School Policies have been devised to ensure that:

- *OIAM core values are at the heart of all we do: Compassion, Honesty, Integrity and Excellence;*
- *Students from all backgrounds and all abilities are welcome;*
- *Each student has the opportunity to flourish and achieve their potential;*
- *We value the individuality of each student within the context of membership of our community;*
- *We are committed to raising educational attainment and improving our students' life chances;*
- *We provide an environment in which all students are self-aware, self-disciplined and confident;*
- *All students will understand how to make a positive contribution to our extended community;*
- *Academic, creative and personal achievement is supported through focus on Sport, Arts and Enterprise.*

**Approved by:** Full Governing Body; Jane Hobbs, Principal

**Last reviewed:** April 2023

**Next review:** April 2026

## Aims and Purpose

The Trust's governors and staff believe that it is in everyone's best interest to resolve complaints at the earliest possible stage. The School expects all complaints to be taken seriously and to be dealt with comprehensively and in confidence. Our School aims to meet its statutory obligations when responding to complaints from parents or students at our School.

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*
- *Make sure 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 try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

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

## Scope

The school 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*
- *Suspension and permanent exclusion*

- *Whistle-blowing*
- *Staff grievances*
- *Staff discipline*
- *Withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship).*

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

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

### **How to Raise A Concern or Complaint**

A concern or complaint can be made in writing.

Complaints against School staff except the Principal should be made in the first instance, to the Principal via the School office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Governing Body should be addressed to the Clerk to the Governing Body at the School address. Please mark them as Private and Confidential.

Complainants can email [school@oneinamillion.org.uk](mailto:school@oneinamillion.org.uk) Please follow the protocol above. For ease of use, a template complaint form is included at the end of this procedure.

A parent, student or other complainant will be able to expect to have a response or acknowledgement of receipt, even if not the final response, to their complaint within 24 hours of having made the complaint (unless in such instances as the weekend when the School is closed). If parents/carers, students or other complainants wish to register a formal complaint they will be asked to complete the school's formal complaint form and return it to the Principal's PA.

The Chair of Governors and Principal will ensure all staff and governors are conversant with the procedures.

### **Roles and Responsibilities**

#### **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*
- *Request additional support needed (such as interpretation support or where the complainant is a child or young person), they will be notified of their right to be accompanied to the meeting by a friend/representative. We do not encourage either party to bring legal representation, but this will be considered on a case by case basis. The School should be informed of the identity of their companion in advance*

- *Treat all those involved with respect*
- *Do not publish details about the complaint on social media*

### **Investigator**

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

- *Interview all relevant parties, keep records of meetings, telephone calls, statements and such like.*
- *Keep the complainant up to date at each stage in the procedure.*
- *Be aware of issues relating to sharing third party information, any written evidence and keep these securely. Prepare a comprehensive report to the Principal or Complaints Review Panel which includes the facts and potential solutions.*
- *Make sure the process runs smoothly by liaising with staff members, the Principal, Chair of Governors, or Clerk.*
- *Provide additional support needed by complainants, for example interpretation support or where the complainant is a child or young person.*
- *The investigator may require administrative support, this may be the Principal's PA.*

### **The complaints co-ordinator**

- *The could be the Principal, designated complaints governor or other staff member such as the Principal's PA for providing administrative support.*

*They should:*

- *Keep the complainant up to date at each stage in the procedure*
- *Liaise with staff members, the Principal, Chair of Governors, or the Clerk to ensure the smooth running of the procedure.*

### **Be aware of issues relating to:**

- *Sharing third party information*
- *Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person*
- *Keep records.*

### **Clerk to the Governing Body**

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*

## Complaints Review Panel Chair

The 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*
- *Be part of at least three people, appointed by the Governing Body, who were not directly involved in the matters detailed in the complaint. One person must be independent of the management and running of the academy.*

## 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*

At each stage in the procedure the person attempting to resolve the complaint will seek ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- *An apology*
- *An explanation*
- *Ad admission that the situation could have been handled differently or better*
- *An assurance that the event complained of will not recur*
- *An explanation of the next steps that have been taken to ensure that it will not happen again*
- *An undertaking to review School policies in light of the complaint.*

## 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 timeframe 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 first school day after the holiday period.

If at any point we cannot meet the timescales 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*

## STAGE 1: INFORMAL COMPLAINTS

- Parents'/ carers' and the student's complaints will be listened to carefully and impartially, recognising it is a matter of great concern to complainant;
- If the matter is within the competence of the member of staff to resolve quickly this will be done. Otherwise, the complainant will be reassured that the complaint will be escalated to the relevant member of staff (Principal's PA), and the Investigator will be informed by the member staff as soon as possible;
- The complainant will be asked to put their complaint in writing, mark them as Private and Confidential. This can be delivered to the school office or emailed to [school@oneinamillion.org.uk](mailto:school@oneinamillion.org.uk). Please follow section 4 for further guidance;
- This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff;
- The member of staff receiving the complaint will refer this to the Principal's PA, who will log the complaint and inform the Investigator (Deputy Vice Principal or Vice Principal) about the matter at the earliest opportunity and complete OIAMFS's 'Complaints Form'. The Investigator will determine the next step(s) and inform the complainant;
- At Stage 1, the school will respond to the complaint within 24 hours of receiving their complaint. The aim would be to resolve the complaint within 5 school days. Where this is not possible due to unforeseeable circumstances, the Investigator or Principal's PA will inform the parties of the action being taken, and it will conclude;
- If a resolution cannot be found the Investigator will inform the complainant of their right of to escalate procedures as a formal complaint to see the Principal (Stage 2);
- If the person who raised the complaint is dissatisfied with the response given they should contact the Principal and refer to stage 2 below within 5 school days of the final school response from Stage 1.

### **Meeting arranged to discuss concerns informally:**

- The complainant should be informed of his/her right to be accompanied to the meeting by a friend/ representative. We do not encourage either party to bring legal representation, this will be considered on a case-by-case basis. The school should be informed of the identity of their companion in advance;

- The Investigator should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed;
- The Investigator will decide whether a member of staff should be called upon or not;
- This stage should be completed speedily and at the conclusion of the investigation, The Investigator should provide an informal written response within 5 school days of the meeting;
- If the issue remains unresolved and no satisfactory solution has been found, the complainant can escalate the matter to a formal complaint, in writing to the Principal, which will take procedures to Stage 2.

## **STAGE 2 - FORMAL COMPLAINT REFERRAL TO THE PRINCIPAL**

- If a complainant is unhappy with the response from Stage 1, they will be offered, before a formal investigation begins, an informal meeting with the Principal to discuss their complaint. It may still be appropriate to reach an informal resolution at this point;
- The complainant should provide written details such as relevant dates, times, and the names of the witnesses of events, alongside copies of any relevant documents, and what they feel could be done to resolve the complaint;
- The complainant may be accompanied to this meeting, and should inform the school of identity of their companion in advance;
- The Principal should acknowledge the complaint in writing within 48 hours, and will call a meeting with the complainant to clarify concerns, and seek a resolution within 5 school days or sooner if possible;
- The Principal will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 5 school days of having received the complaint. (If it is not possible to meet this deadline clear reasons will need to be given to the complainant). This should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action OIAMFS will take to resolve the complaint;
- The Principal may wish to meet with the parent/carer to discuss/resolve the matter before confirming the outcome in writing;
- In certain circumstances the school may need to refuse 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 the complainant has the opportunity to arrange alternative accompaniment;

- If necessary, the Principal should interview witnesses and take statements from those involved;
- The Principal should keep written records of meetings, telephone conversations and other documentation;
- Stage 2 should be completed in 7 school days of it commencing. If it is not possible to meet this deadline clear reasons will need to be given to the complainant giving a revised target date;
- OIAMFS will not pay financial compensation as a response to complaints, though may spend money on a relevant education purpose (e.g. paying a fee for a repeat examination);
- The complainant should be informed that if they are not satisfied with the response, they should refer to Stage 3 below and write to the Chair of Governors within 7 school days of receiving the outcome letter.

### **Complaints against the Principal**

In cases where the matter concerns the conduct of the Principal, a written complaint should be sent 'For the Attention of the Chair of Governors' to the school office and marked "Private & Confidential" (or emailed to [school@oneinamillion.org.uk](mailto:school@oneinamillion.org.uk)). The Chair will refer the matter directly to a Complaints Review Panel to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. The complaints procedure will be followed.

However, before Stage 3 is instigated the Chair of Governors will invite the Principal to respond to the complaint in writing within 5 school days. The Chair will send a copy of the Principal's response to the complainant and the complainant will be asked to indicate within 5 school days of the receipt of the response whether he/she is satisfied with the response. If the complainant is not satisfied with the response, Stage 3 should proceed.

### **STAGE 3 - COMPLAINT HEARING TO THE COMPLAINTS REVIEW PANEL**

#### **Convening the panel:**

- The complainant must submit a written request to the Chair of Governors for their complaint to be further considered. This request will be acknowledged within 3 days. The acknowledgement will inform them that the complaint is to be heard by



Complaints Review Panel within 20 school days of writing. If it is not possible to meet this deadline clear reasons will need to be given;

- The Governing Body will appoint a Complaints Review Panel consisting of at least three people who were not directly involved in the matters detailed in the complaint, and one panel member will be independent of the running and management of the school. This is to ensure the panel has the benefits of an external source of scrutiny and challenge in its consideration of the complaint;
- Parent and staff governors of OIAMFS will be exempt from selection. If not enough impartial governors are available, further panel members from other schools or the local authority will be sought;
- The panel will appoint suitably skilled chair from among themselves;
- The clerk will support such duties include circulating and agreeing meeting dates, circulating papers, taking minutes of the meeting, and draft the decision letter;
- The Clerk will provide 3 proposed meeting dates. If the complainant rejects the proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence. If the complainant does not show up on the date, without good reason, the meeting shall proceed in the complainant's absence;
- The complainants should be informed of his/her right to be accompanied to the meeting by a friend/representative. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. The school should be informed of the identity of the identity of their companion in advance;
- The Clerk of the panel should write to the complainant to explain how the review will be conducted. The letter should be copied to the Principal;
- Any written material will be circulated to all the parties at least 5 school days before the date of the meeting;
- A written statement outlining the decision of the governors including recommendations (if necessary) will be sent to all parties including the complainant, (the person complained about where the school deems relevant) and the Principal within 5 school days of the hearing. If the complainant remains unhappy, they may wish to contact the DfE or ESFA (see Appendix 2 for further details).

### **At the Meeting:**

- The aim of the hearing is to resolve and reconcile the complaint and, if at all possible, achieve reconciliation between the school and the complainant;
- At the Complaints 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;
- At the meeting, each individual will have the opportunity to give statements and present their evidence. Witnesses will be called as appropriate to present their evidence;
- If either party wishes to introduce previously undisclosed evidence or witnesses, it is an interest of natural justice to adjourn the meeting so that the other side has no time to respond to the new evidence;
- Late evidence of witnesses should not be accepted unless there is a good reason for the lateness;
- The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representative have completed presenting their cases, they will be asked to leave and evidence will 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 Principal.

### **The Outcome**

The aim of the meeting should be to resolve the complaint and achieve reconciliation between OIAMFS and the complainant. However, at the end of the meeting the Complaints Review Panel will need to issue a finding in writing wither upholding or not upholding the complaint or upholding some parts and not others.

### **The complaints review panel can:**

- Uphold the complaint, in whole or in part
- Dismiss the complain, 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 Clerk/Chair will send a written statement, within 5 school days, outlining the decision with reasons to both the complainant and the Principal.

## **COMPLAINTS REGARDING THE ACADEMY TRUST**

- If a complainant wishes to complain about the Trust, details should be sent to CEO of the school sponsor, Wayne Jacobs, for the matter to be reviewed this can be done through the school email address [school@oneinamillion.org.uk](mailto:school@oneinamillion.org.uk). If the complainant is not satisfied with the response or outcome, see section 11;

## **RECORD KEEPING**

- The school will record the progress of all complaints, including information about actions taken at all stages, the stage of 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;
- The material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or by the Complaints Review Panel. Records of data will be kept securely in line with data protection law and our privacy notices;
- This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access of records of a complaint through the 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.

## **LEARNING LESSONS**

The Governing Body will review any underlying issues raised by complaints with the Principal, where appropriate, and respecting confidentiality, to determine there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## **NEXT STEPS: REFERRING COMPLAINTS ON COMPLETION OF SCHOOL'S PROCEDURES**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed

Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The Complainant can refer their complaint to the ESFA online at [www.education.gov.uk/](http://www.education.gov.uk/) contact us, by telephone on: 0370 000 2288 or writing to:

Academy Complaints and Customer Insight Unit Education and Skill Funding Agency  
Cheylesmore House 5 Quiton Road, Coventry CV1 2WT.

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.

## **MONITORING, EVALUATION AND REVIEW**

The Governing Body will review and amend this policy and procedure at least every two years or as required by:

- Change in legislation
- Changes in guidelines from advisory bodies
- The effectiveness of the policy

## APPENDIX 1: Guidance for staff on handling a complaint

- School will make sure that staff who are likely to be involved on handling complaints are suitably trained to do so and follow procedure. For example;
- **Publicity:** Parents/carers should always know how they can raise a complaint. The policy can be found on the website and a paper copy will also be available;
- **Procedures should be as speedy as possible:** Each stage of the procedure has known time limits. Where it is not possible to meet these, information about progress will be given to the complainant;
- **Support for complainant:** If required, support for the complainant can be offered from individuals or organisations who are clearly separated from those complained against, such as Citizens Advice Bureau and other local advice centres. Parents are invited to be **accompanied** by a friend or a relative as a representative at any stage of the stage of the procedure but must first inform the school;
- **Support for the person who the complaint is raised against:** Staff who may be questioned as part of a complaint investigation must feel they are being treated in a fair way and that they too will have an opportunity to put their case forward. They will be told about the procedure and kept informed of progress where it is deemed appropriate. There is an important balance to be maintained between supporting the individual so that their rights and reputation are protected during the course of an investigation;
- The complaints procedure is distinct from formal disciplinary proceedings for staff. There may be occasions where the complaint launches a disciplinary procedure, which puts the complaints procedure on hold. If so, the complainant will be informed and any non-disciplinary aspects of the complaint will be dealt with by the usual complaints procedure;
- **Confidentiality:** All conversations and correspondence will be treated with discretion. Complainants need to feel confident that their complaint will not be penalise their child from the outset, all parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure;
- **Anonymous complaints:** It is at the discretion of the Principal as to whether anonymous complaints warrant an investigation. It is usual to disregard anonymous complaints unless somebody is prepared to substantiate them, or the school has been directed by the DfE or ESFA to investigate the matter;
- **Redress:** If the outcome of the complaint shows the academy is at fault, it will be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaking to review policy, or, in appropriate circumstances, financial compensation.

**Record keeping:** Recording stage 1 needs to be a record with the date, name and nature of the complaint, and the details recorded in the schools system. More detailed recording will begin at the point when a complaint has become an issue that cannot be resolved on the spot, but needs investigation.

## **APPENDIX 2**

### **DEALING WITH THE COMPLAINTS THROUGH OFSTED**

The Education (Investigation of Parents' Complaints) (England) Regulations 2007 brought in. new procedure for dealing with parents' through Ofsted. The regulations set out what complaints can be investigated by Ofsted as qualifying or non-qualifying complaints.

Ofsted cannot investigate a parental complaint until the parent/carer has exhausted all internal methods and appeals. However, the Chief Inspector has the discretion to waive this restriction.

### **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 the following the school's complaints procedure;
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason;
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses 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;
- 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 every reasonable steps 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 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 Citizen Advice.
- Put any other strategy in place as necessary

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 contact us repeatedly, and we believe their intentions 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 our school site.

## COMPLAINT CAMPAIGNS

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

- Publishing a single response on the school website;
- Sending a template response to all of the complainants.

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

### Appendix 3: STANDARD FORM

#### Example of a complaint

If a person wishes to log a formal complaint in writing to either the Principal or the Governing Body, the following form may be used.

Please complete, marked Private and Confidential, and return to the school office who will acknowledge receipt and explain what action will be taken. If your complaint relates to the Principal you should mark the letter Private & Confidential FAO Chair of Governors and return to the school office

Your name:
Student's name (if applicable)
Your relationship to the student (if applicable)
Address/Postcode
Day time telephone number: Evening time telephone number:
Email:
Please give details of your complaint. (Use a separate sheet if required)
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response)?
What actions do you feel might resolve the problem at this stage?



Are you attaching any paperwork? If so, please give details.	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Print Name:	Date:
Official use:	
Data acknowledge sent:	
By who:	
Complaint referred to:	
Date:	