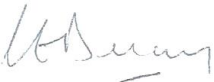




Complaints Procedure

This procedure applies all pupils in the school, including in the EYFS

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| Signed: |  |
| Chair of Trust Board: | Claire Delaney |
| Approved: | 1 September 2020 |
| Renewal period | Annually |
| Review Date: | September 2021 |

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Rutherford House School Complaints Procedure

Guidance

The complaints procedure at Bellevue Place Education Trust has three stages, to be covered in a period of 28 days excluding school holidays and weekends between the complaint being made and the final resolution. Written complaints about the fulfilment of the EYFS requirements are investigated and the complainant notified of the outcome of the investigation within 28 days. The DfE does not distinguish between a 'concern' and a 'complaint'. Any matter about which a parent of a pupil is unhappy and seeks action by the school is considered as a complaint and will be addressed in accordance with this policy. In this respect, it is anticipated that the large majority of complaints will be resolved at the informal stage.

The school will keep records of complaints which are resolved at the informal stage for management purposes, for example to enable patterns or trends to be monitored. A formal written and/or electronic record is kept of complaints made to the school which reach the formal stage. Details will be recorded of;

- whether the complaint was resolved following the formal stage or proceeded to a panel hearing;
- action taken by the school as a result of the complaint, (regardless of whether the complaint was upheld).

Records are kept for at least three years. The school will provide the DfE/EFA and Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

Stage 1 - Informal complaint (Resolution normally within 5 school working days)

All complaints may be made on an informal basis initially; verbally or in writing. Sections A-F deal with any informal complaints. In many instances issues will be dealt with straight away. Where further information is required every effort will be made to make an initial response within 24 hours of the issue being raised.

A Complaints by parents about a member of staff

- i. Direct discussion with parents and Headteacher
- ii. Direct discussion with member of staff followed by conversation between member of staff and parents and aggrieved parties
- iii. Action on points raised agreed
- iv. Review situation

B Complaints by parents about another child.

- i. Class teacher involved immediately.
- ii. If necessary, playground supervisors involved and class teacher to observe in the playground.
- iii. All teachers are informed at staff meetings for classroom awareness.
- iv. "Complaining" parents telephoned; procedures explained; offered opportunity to talk further and asked to telephone immediately with any further/future concerns.
- v. Conflict noted on children's profiles and SMT ensure where possible that class teacher/tutor mitigates conflicts.
- vi. In instances of bullying the procedure is outlined in our anti-bullying policy
- vii. Where necessary steps will be taken in accordance in the school Behaviour and Exclusions

C Complaints by a child about a child.

- i. All parties are separately seen by staff, as a fact collecting exercise.
- ii. Staff are informed in staff meetings.
- iii. Parents are informed
- iv. In instances of bullying the procedure is outlined in our anti-bullying policy
- v. Where necessary, steps will be taken in accordance with the school Behaviour and Exclusions policies

D Complaint by a member of staff about a colleague.

This is usually made to the Headteacher either informally or in appraisal.

- i. Informally: The Headteacher discusses matter with member of staff and offers to intervene tactfully. Usually the member of staff chooses to speak to the other staff member him/herself. SMT ensure that situations likely to cause friction/ aggravation between staff concerned are avoided.
- ii. In appraisal; Procedures as above, though the complaint is noted. In order to maintain a happy community, all staff are asked by the Headteacher in appraisal, if they have any concerns
- iii. If the complaint is about the Headteacher the complaint should be made to the Chief Executive of Bellevue Place Education Trust

Stage 2 - Formal Complaint (Resolution normally within 10 school working days)

Where the complainant(s) are not satisfied with the response of the school, through the procedures outlined above they may register a formal complaint. This should be done in writing to the head, including,

- The nature of the complaint
- The reasons for their dissatisfaction with the school's response

The date of the receipt of the letter will be taken as the start of this stage of the process.

The Headteacher will meet with the complainant as soon as is practical, to discuss the matter and, if possible, to reach a resolution at this stage. Where a complaint is received during a school holiday, it will be deemed to have reached the school on the first full school day following its arrival. It may be necessary to carry out further investigations. The Headteacher will keep written records of all complaints, and of meetings held in relation to them.

Once the Headteacher is satisfied that all the relevant facts have been established, a response to the complaint will be made and the complainant will be informed in writing, within ten school days: the nature of the response will depend on the nature of the complaint but it will always give a judgement whether and to what extent, if at all, the complaint is justified, and reasons; the response may include actions which the school intends to take or a decision. A complainant who is not satisfied should proceed to the next stage.

If the complaint is relating to the Headteacher, the formal complaint needs to be sent in writing to the Chief Executive's Office of Bellevue Place Education Trust (email is info@BPET.co.uk). The Chief Executive will then convene a panel to hear the complaint and will acknowledge the complaint within five (5) school days. The panel will be chaired by the Chief Operating Officer with two independent members.

Stage 3 - Independent Resolution - Panel Hearing (Resolution normally within 15 school working days)

If Stage 2 has not resolved the complaint to the satisfaction of the parent or carer, he/she should write within ten (10) school days to the Headteacher (or Chief Executive of Bellevue Place Education Trust if

the complaint is relating to the Headteacher), requesting a hearing before the complaints panel (an appeal panel if against the Headteacher). The Headteacher (or where relevant, the Chief Executive) will acknowledge the letter of complaint within five (5) school days. The date of the receipt of the letter will be taken as the start of this stage of the process.

The panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

At this point the school will:

- 1) Convene a panel of one of the Trust, a member of the SMT not involved in the matters detailed in the complaint, and either one or two panel members who are independent of the management and running of the school, depending upon the particular circumstances.
- 2) Send a letter to the parents inviting them to attend the panel, along with someone to accompany them if they wish.
- 3) Provide that the panel is able to make findings and recommendations; and ensure that minutes and recommended actions of the panel are kept for three years.
- 4) Ensure that a copy of the panel's findings and recommendations is –
 - a) provided to the complainant and, where relevant, the person complained about; and
 - b) available for inspection on the school premises by the Trust and the Headteacher;
- 5) Ensure all correspondence, statements and records relating to individual complaints are kept confidential – unless the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them
- 6) Show how the findings and recommendations of the panel have been responded to
- 7) Seek to complete stage 3 of the procedure within 15 school working days.

Appeal to OfSTED

Parents of EYFS children can, if they wish, complain to Ofsted or ISI if they believe the school is not meeting EYFS requirements – contact details are found below in **Appendix 3**

Appeal to the Education & Skills Funding Agency

Parents who are not satisfied with the handling of their complaint by the school should submit a complaint to the ESFA via the Department for Education complaints form, found in Appendix 3

If a complaint is submitted to the ESFA they will check whether the complaint has been dealt with properly by the Trust and the school. They will consider complaints about BPET Schools that fall into any of the following three areas:

- where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
- where the academy is in breach of its funding agreement with the Secretary of State
- where an academy has failed to comply with any other legal obligation

They will not overturn a decision about a complaint. However, if they find the school or Trust did not deal with the complaint properly they will request the complaint is looked at again and that the procedures meet the requirements set out in the Regulations.

Further detail concerning the procedure the ESFA will undertake in dealing with complaints can be obtained from EFA.

EYFS Complaints.

In the event of a parent/carer making a written complaint relating to the schools fulfilment of the EYFS requirements, the school would immediately move to Stage 2 of the procedure. The school would ensure that the complainant is notified of the outcome of the investigation within 28 days of having made the complaint. The record of any EYFS complaints will be maintained for at least six years from the year when the child left EYFS and must be available for inspection by Ofsted or a representative of Bellevue Place Education Trust on request.

The school will make available to parent/carers details of how to contact Ofsted or Bellevue Place Education Trust if the parent/carer believes the school is not meeting the EYFS requirements.

Dissatisfaction with the ESFA handling of the complaint.

If a complainant is dissatisfied with the way in which the EFA has dealt with their complaint against a School, the complainant may notify the EFA of this. As an Executive Agency of the Department for Education (DfE) complaints about the EFA will be handled in accordance with the DfE's complaints process. Further details of this can be obtained from the DfE.

Vexatious complaints

A good procedure can help limit the number of protracted complaints. It is not appropriate to make personal accusations or attacks on members of school staff, or to raise matters that are not about education or a pupil's well-being. It is also not appropriate to make unsubstantiated allegations against the school, or to behave unreasonably by not engaging with the school to attempt a joint resolution. If a complainant attempts to reopen issues that have been dealt with through the complaints procedure it will be explained that the procedure has been exhausted.

If a complainant acts unreasonably by continuing to raise similar issues, or raising a range of unrelated issues on a repeated basis then the school reserves the right not to respond. If a complainant in this category refuses to engage in the school's formal complaints procedures, but continues to complain, then the Headteacher or Chief Executive will inform the complainant that the complaints are vexatious.

If the complainant believes that the school has acted unreasonably they may appeal to the Education Funding Agency on behalf of the Secretary of State for Education as detailed in the section above.

Monitoring complaints

Each school will monitor complaints. Details to include:

- Name of complainant
- Details of the complaint
- How the complaint was investigated and by whom
- When the complaint was made
- The results and conclusions of the investigation(s)
- Any action taken as a result

Confidentiality and Record-keeping

A record will be kept of all complaints, including a note of the stage at which the complaint was resolved. All complaints resolved at the formal stage will be recorded in the school's complaint book. A

copy of the panel's findings and recommendations will be available on the school premises for inspection by the Headteacher, Bellevue Place Education Trust staff and Trustees. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008, as amended, requests due access to them.

A record of complaints will be kept for at least six years.

Monitoring and Evaluation

The Headteacher and Trust will review this policy statement annually and update it in consultation with key staff, in line with current best practice as s/he considers necessary.

Publicising our Complaint Procedure

Details of our complaint procedure will be available on the Trust and School website and also on request through the main school office.

All school staff will be aware of the complaints procedure, to ensure a consistent approach in dealing with concerns. Training in the complaints procedure will be available to staff on request.

Appendix 1: Number of complaints registered under the formal procedure during the year 2019-2020

Schools are required to publish the number of complaints registered under the formal procedure during the preceding school year.

The number of complaints dealt with at this stage at the Trust in 2019-2020 was - 0

Appendix 2
XX School – Complaint Form

Your name:

Pupil's name:

Your relationship to pupil:

Your address and postcode:

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Your daytime telephone number: ☎
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Your evening telephone number: ☎
.....

Your complaint is (include details of actions already taken by the school to try to resolve the situation):

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Bellevue Place

EDUCATION TRUST

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(If you run out of space, please use extra paper)

What would you like as an outcome from your complaint?

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Are you attaching any paperwork? If so, please give details:

.....
.....

Your signature: Date:

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act, 1998 and the Freedom of Information Act, 2000.

The School will, in following this procedure, refer to any relevant legislation including all human rights based legislation.

Please complete and return to the school office. Your complaint will be acknowledged with an explanation of what happens next.

For office use only: Date acknowledgement sent ()

Responsible member of staff ()

Appendix 3: Contact details

OFSTED

By email

enquiries@ofsted.gov.uk

By telephone

The following helplines are open from 8.00am to 6.00pm, Monday to Friday:
general helpline **0300 123 1231**

By post

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD

Education & Skills Funding Agency

ESFA vi the Department for Education complaints form

at: https://form.education.gov.uk/fform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

END