



Complaints Policy – DCP 002

Policy Owner: Trudy Spillane

Date: 7 March 2017

Introduction

The Drapers' Multi-Academy Trust (MAT) takes complaints seriously, whatever their source. For this reason, we require the process for raising and dealing with complaints to be treated seriously and in a formal manner.

This policy sets out the requirements for raising, and dealing with, a complaint. It should be noted that the requirements of this policy do not apply in cases where child protection issues are involved. In such cases, the separate Safeguarding and Child Protection Policy should be consulted.

Scope

This policy applies to all directors, governors, staff and pupils of the Drapers' Multi-Academy Trust. It also applies to parents and carers of pupils at schools within the MAT, who formally confirm that they will abide by our policies when their children join our schools.

Each school within the MAT must ensure that the contents of this policy are communicated to all staff. This communication must be evidenced in writing and refreshed on an annual basis. All parents must formally accept this policy when their children join a MAT school and this acceptance must be evidenced in writing through the Home-School Agreement.

Each school within the MAT must publish this policy on its website.

Definitions

- Appeal** The process for an independent review of the response to a Complaint.
- Child** Anyone under the age of 18.
- COO** Chief Operating Officer.
- Concern** A problem, usually raised by a pupil or parent, which is capable of being resolved to everyone's satisfaction through informal discussions.
- Complaint** A formal process for raising problems that are not capable of being resolved informally or that are so serious that an informal approach is not appropriate.
- ICP** An Independent Complaints Panel is a body convened for the purpose of hearing Appeals. It will normally comprise three members of the relevant



	Local Governing Body (LGB), but may include other governors or directors from within the MAT, appointed by the Chairman of the LGB.
LGB	Local Governing Body, with delegated powers of governance from the board of the MAT.
MAT	Drapers' Multi-Academy Trust.
Parent	Those having parental responsibility for the care of a Child (including Carers).
Pupil	Anyone enrolled at a MAT school (including students in Years 12 and 13).

Policy

1. The Principal of each school within the MAT is responsible for establishing appropriate procedures and documentation to ensure that the requirements of this policy are followed. The Principal will submit a short report on the number and type of complaints to the LGB on an annual basis.

Raising a Concern

2. It is the expectation that most problems can be addressed by raising a concern, either with the Form Teacher of the pupil concerned or with a member of the SLT. A concern becomes a complaint if it cannot be resolved in this informal manner and is received by the school in writing.
3. The formal complaints procedure set out below should only be followed if a concern has been not been resolved, unless the person making the complaint considers that it is sufficiently serious that it cannot be addressed informally.
4. Whether informal or formal, all concerns and complaints must receive fair and proper consideration and a timely response. Typically, concerns should be resolved within ten school days of being raised.

Making a Complaint

5. Where a parent wishes to make formal complaint, this should be done in writing addressed to the Principal of the school. If a Pupil wishes to make a Complaint, their parent should countersign the document.
6. All complaints will be treated in accordance with the Confidentiality Policy – DCP 015.
7. The Pupil or Parent should identify how they wish the complaint to be resolved.
8. The Principal will determine the best way to address the complaint and whether or not responsibility for dealing with it should be delegated to a member of staff.
9. The Principal has responsibility to ensure that the complaint is resolved in a timely manner and that the Pupil and Parents concerned are kept fully informed. It is expected that most complaints will be resolved within ten working days, other than complaints received outside term time.



10. Pupils and parents will be notified of the Principal's decision in writing. The pupil and parents may request a meeting with the Principal to clarify any points arising from the decision.
11. A written record must be kept of all complaints, the date on which they were received, the discussions that arose, the resolution agreed, and whether or not the matter was taken to appeal. These records will be kept until one year after the date that the Pupil leaves the school.
12. Where Parents are dissatisfied with the outcome of the Principal's decision, they may make an Appeal to an Independent Complaints Panel (ICP).

Making an Appeal

13. Where a Parent wishes to make an appeal against the decision of the Principal, they should notify the Principal in writing, within ten days of having been notified of the initial decision, and request that an ICP be set up for this purpose of hearing their appeal.
14. The letter from the parent must set out the reasons for the appeal together with the remedies that they are seeking.
15. On receiving such an appeal, the Principal must notify the COO who will liaise with the Chair of the LGB to establish an ICP and set a date for the hearing. The date of the hearing should be within twenty days of the date of the Appeal letter (but not less than ten days in order to allow time for the submission of written evidence).
16. It is the responsibility of the Chair of the LGB to select the members of the ICP and appoint a Chair.
17. All written evidence to be considered by the ICP must be submitted to the COO no later than five working days before the date of the hearing.
18. The role of the ICP is to assess the merits of the Appeal, based on the facts presented to it by the parent and by the Principal and other members of staff concerned. The ICP is only obliged to consider the matters raised in the letter requesting the appeal, although it may use its discretion to consider other relevant matters if it thinks this to be appropriate.
19. When considering an appeal, the ICP will take the following into account:
 - a. Did the Principal act within his or her authority?
 - b. Did the Principal act reasonably given all the facts and circumstances at the time of the decision?
 - c. Was due process followed?
 - d. Are there any subsequent mitigating factors not available to the Principal at the time of the decision?



20. If the Appeal relates to, or includes, a complaint about the Principal's behaviour, the ICP will also consider:
- i. Whether the facts demonstrate that the Principal has breached the terms and conditions of their employment?
 - ii. Whether the facts demonstrate that the Principal has breached school policies?
 - iii. Whether the facts demonstrate that the Principal has not behaved in accordance with the standards expected by the Drapers' Multi-Academy Trust?

Should the ICP find that any of these points has been demonstrated, the matter must be referred to the Chair of the MAT for consideration at a Board Meeting.

21. The Chair of the ICP has total discretion to determine how the Appeal will be heard, who may attend and who may present to it; save for the following points:
- i. It is the parents' choice whether or not the pupil should attend.
 - ii. The parents have the right to submit written evidence to the ICP and to address the panel with regard to the complaint.
 - iii. The Principal has the right to submit written evidence to the ICP and to address the panel with regard to the complaint.
 - iv. The parents have the right to make a final oral presentation to the ICP in response to the Principal's submission.
22. The ICP should attempt to come to a decision at the hearing and notify the parent at the time. If the ICP decides this is not practicable, then the Chair will notify the parent and the Principal that further consideration is necessary. A final decision must be reached, and communicated to the COO, within ten working days of the hearing.
23. It is the responsibility of the COO to inform the parent, the Principal and the Chair of the LGB (if not part of the ICP) in writing. The letter will state the reasons for decision and any recommendations arising from it.
24. Any decisions or recommendations relating to a member of staff will be dealt with through the Pupil Disciplinary Sanctions Policy – DCP 018.
25. The Chairman of the MAT must ratify any decisions that may have financial implications, before any such decisions are finalised or communicated to the parties involved.
26. The Chair of the LGB is responsible for overseeing the implementation of decisions and recommendations affecting the school.
27. The COO shall report all appeal decisions to the next Board Meeting of the MAT.



Review

27. The policy owner must keep up to date with relevant legislation and government guidance and update this policy whenever necessary. The board of the MAT must approve the revised version.
28. The policy owner must review the policy at the end of July each year and either submit a revised policy for board approval or confirm in writing to the COO that the current version of this policy is still fit for purpose.
29. The COO must submit a list of all confirmed policies to the board at the first meeting of each new academic year.
30. The MAT board must formally review and re-approve this policy every five years.