

# School Complaints Policy & Procedures

**This Policy was adopted by:  
The Trustees of Ventrus**

**On 5 June 2019**

**Signed by:**



**Chair of Trustees**

**Due for Review: January 2022**

**Linked Policies:** Behaviour Policy; SEND Policy

## VENTRUS COMPLAINTS POLICY 2019

### The Complaints Policy applies to all 3 stages of the Ventrus Complaints Procedure

#### Our Aims

- When responding to concerns and complaints brought to our attention, 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
- Ensure 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 always try to resolve concerns or complaints by informal means wherever possible, using the processes below: ***Bringing your concerns or complaints to our attention informally.***

Where this is not possible, formal procedures may be followed, using the Formal Complaints Procedure below: ***Making a formal complaint.***

Our schools will give complainants the opportunity to complete the complaints procedure in full. To support this, we will publish our Complaints Policy & Procedures on both the Ventrus website and all of our school websites. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

#### Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with The Ventrus' funding agreement and articles of association. In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

#### The Scope of the Ventrus Complaints Policy & Procedures

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances

- Staff discipline

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

Arrangements for handling complaints from parents of children with special educational needs and disabilities (SEND) about the support provided by Ventrus schools are within the scope of this policy. Such complaints must first be made to the special educational needs co-ordinator (SENDCO). The SENDCO will make the Headteacher aware of the complaint immediately and the Headteacher will assign the appropriate member of staff to investigate the complaint, in line with this Complaints Policy.

Ventrus schools' SEND Policies and SEND Information Reports will include information about the rights of parents of pupils with disabilities who believe that the school their child attends has discriminated against their child.

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

If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals; this may impact on our ability to adhere to the timescales within this procedure, or result in the procedure being suspended until those public bodies have completed their investigations.

## **Roles and responsibilities**

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

### **The investigator**

- An individual will be appointed to look into the complaint, by the Headteacher of the school, to establish the facts. They will:
  - Interview all relevant parties, keeping notes
  - Consider records and any written evidence and keep these securely
- Provide a comprehensive report to the Headteacher/Executive Leader, or complaints committee, which includes the facts and potential solutions.

### **Principles for investigation**

When investigating your concerns or complaints (whether formal or informal), we will do our best to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

When investigating complaints, our staff will be mindful of the 7 Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

## **Who can make a complaint?**

Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## **The difference between a concern and a complaint**

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure, **[see below: *Bringing your concerns or complaints to our attention informally*]**.

The school takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, will refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with your concern, the Headteacher will refer you to another member of staff. In some cases, the member of staff may be more senior, but this decision will be made at the Headteacher’s discretion.

We believe the ability to consider the concern or complaint being brought to our attention objectively and impartially is of the utmost importance.

## **The timescales for you to make a complaint**

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 time frame 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 next school day.

If at any point we cannot meet the time scales set out in the Ventrus Complaints Policy & Procedures, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

## **Complaints about our fulfilment of early years’ requirements**

We will investigate all written complaints relating to our schools’ fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request. Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Headteacher, or Executive Leadership Team, if appropriate, will determine whether the complaint warrants an investigation.

### **Resolving complaints**

At each stage in the procedure, the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is “upheld in whole or in part”. In addition, we may offer one or more of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again
- An indication of the timescales within which any changes will be made
- An undertaking to review school policies in light of the complaint
- An apology.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Unreasonably persistent or serial complaints**

Most complaints raised will be valid, and 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 following the school’s complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the Complaints Procedure
- 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
- Changes the basis of the complaint, as the investigation goes on
- 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 in such circumstances**

We will take every reasonable step 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, which will be monitored by a senior administrator and the Headteacher

- 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 [Citizens Advice](#)
- Put any other strategy in place as necessary

### **Stopping responding**

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 contacts us repeatedly, and we believe their intention 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.

The school will always investigate complaints of a genuine safeguarding nature.

### **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the EFSA (see below), if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

### **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.

### **Record keeping**

The school will record the progress of all complaints, including a chronology detailing

- Actions taken
- Associated information related to the complaint, at all stages,
- The stage at 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.

This information will be treated as confidential and held by the Headteacher, unless the complaint was about the Headteacher, in which case it will be held by the Ventrus Company Secretary. It will be viewed only by those involved in investigating the complaint, or on the Complaint Review Panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request, in line with GDPR, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with GDPR, our privacy notices and record retention schedule.

### **Learning lessons**

The Trust Executive Leadership Team will review any underlying issues raised by complainants across the Trust, with a selection of Headteachers and local governors (where appropriate), and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **Monitoring arrangements**

The Trustees will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trustees will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Company secretary.

This policy will be reviewed by the Trustees every 3 years.

At each review, the policy will be approved by Trustees.

### **Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

However, this list is not intended to be exhaustive.

### **Referring complaints on completion of the Ventrus Complaints Procedure**

If the complainant is unsatisfied with the outcome of the Trust's Complaints Procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school.

The ESFA will not overturn a school's decision about a complaint. However, it will look into whether:

- There was undue delay, or the school did not comply with its own complaints procedure <sup>2</sup>
- The school was in breach of its funding agreement with the secretary of state
- The school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint.

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information, or to refer a complaint, see the following webpage:  
<https://www.gov.uk/complain-about-school>

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## **VENTRUS COMPLAINTS PROCEDURE 2019**

### **STAGE 1: BRINGING YOUR CONCERNS OR COMPLAINTS TO OUR ATTENTION INFORMALLY**

Parents may, occasionally, be concerned about an aspect of their child's education or welfare at school (this could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue), or wish to raise a complaint with the school. We welcome enquiries from parents about any matter and your child's teachers are happy to meet with you, at a mutually convenient time to discuss your concern or complaint and explain the school practices, policies, and how they affect the pupils.

#### **Who you should contact**

Primary schools: In the first instance, the vast majority of your concerns will be handled by your child's class teacher, or on some occasions by the unit leader or special educational needs co-ordinator. If you have already spoken to these staff and still feel your concerns or complaint have not been addressed, the Headteacher will be happy to meet with you, at a mutually convenient time, to attempt to resolve the matter.

Complainants should not approach individual local governors or Trustees to raise concerns or complaints. They have no power to act on an individual basis.

Secondary schools: In the first instance, the vast majority of your concerns will be handled by your child's tutor, or with your child's head of year, learning mentor, subject teacher or the special educational needs co-ordinator, if this is more appropriate. If you have already spoken to these staff and still feel your concerns or complaint have not been addressed, the Headteacher will be happy to meet with you, at a mutually convenient time, to attempt to resolve the matter.

Complainants should not approach individual local governors or Trustees to raise concerns or complaints. They have no power to act on an individual basis.

If you are unable to come into school, or if you are unsure who you should speak to, please call the school office as we are here to help.

#### **How you can contact us to bring your concerns or complaint to our attention**

- Call the school office and arrange a face to face meeting at a mutually convenient time, normally within 2 school days.
- Call the school office to arrange a phone call, at a mutually convenient time, normally within 2 school days.
- Email the school office outlining your concern or complaint. Please add "Parental concern/complaint, FTAO: Member of staff's name" to the subject line of the email. The member of staff will make contact with you, normally within 2 schools days.
- In writing, by letter. Please hand your letter in to the school office marked "Confidential" and addressed to the appropriate member of staff.

Concerns or complaints may be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.



As you would expect, the member of staff you speak to may need to investigate your concerns or complaint and speak to several people to establish the facts.

### **What happens once you have brought your concerns or complaint to our attention**

- The member of staff, will make contact with you, to discuss your concerns or complaint, normally within 2 school days. Where this is not the Headteacher, the member of staff will make the Headteacher aware of your concerns or complaint.
- The member of staff will investigate the matters you have raised, in line with Ventrus Complaints Policy & Procedures.
- If the Headteacher feels it necessary, they will appoint a different member of staff to investigate the matter.
- We would expect to provide you with a thorough response to the issues you have raised with us, normally within 5 school days of you bringing them to our attention.

Occasionally, you may not have been able to resolve your concerns or complaints informally, or may not have felt it appropriate. In such cases, you may wish to make a **Formal Complaint**.

### **STAGE 2: MAKING A FORMAL COMPLAINT** *(except where the complaint is against the Headteacher)*

#### **Who you should contact**

When making a formal complaint, you should contact the Headteacher. Complainants should not approach individual local governors or Trustees to raise concerns or complaints. They have no power to act on an individual basis.

#### **How you notify us of your formal complaint**

- Call the school office to arrange a phone call with the Headteacher, at a mutually convenient time, normally within 2 school days.
- Email the school office outlining your concern or complaint. Please add “**Formal Complaint, FAO: Headteacher**” to the subject line of the email. The Headteacher will make contact with you, normally within 2 schools days. We do request that complainants complete our Formal Complaint Template and attach it to their email.
- In writing, using our Formal Complaint Template. Please hand your formal complaint in to the school office marked “Confidential” and addressed to the Headteacher.

The Headteacher will notify the Chair of the Local Governing Body that a Formal Complaint has been received.

Complainants should not approach individual local governors to make a formal complaint. They have no power to act on an individual basis.

#### **Making a formal complaint about the Headteacher**

##### **Who you should contact**

When making a formal complaint against the Headteacher, you should contact the Ventrus Company Secretary, by email: [cosec@ventrus.org.uk](mailto:cosec@ventrus.org.uk). Please add “**Formal Complaint against Headteacher, FAO: Director of School Improvement**” to the subject line of the email. The company secretary will forward your complaint to the appropriate Director of School Improvement; they will make contact with you, normally within 2 school days.

We do request that complainants complete our Formal Complaint Template and attach it to their email.

Complainants should not approach individual local governors to raise concerns or complaints. They have no power to act on an individual basis.

## ***Making a formal complaint about the Chair of Governors, or the Local Governing Body, as a whole***

### **Who you should contact**

When making a formal complaint against the Chair of Governors or the Local Governing Body, you should contact the Ventrus Company Secretary, by email: [cosec@ventrus.org.uk](mailto:cosec@ventrus.org.uk). Please add “**Formal Complaint against Chair of Govs/LGB, FAO: Director of School Improvement**” to the subject line of the email. The company secretary will forward your complaint to the appropriate Director of School Improvement; they will make contact with you, normally within 2 school days.

We do request that complainants complete our Formal Complaint Template and attach it to their email.

Complainants should not approach individual local governors to raise concerns or complaints. They have no power to act on an individual basis.

### **What information do we need to investigate your formal complaint (see below, Formal Complaint Form Template)**

**If you require help in completing our Formal Complaint Form Template, please contact the school office.** You can also ask third party organisations like the Citizens Advice to help you. In accordance with equality law, we will consider making reasonable adjustments as required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **What happens once you have submitted your formal complaint**

- The Headteacher or Director of School Improvement will confirm that they have received your formal complaint, normally within 5 school days.
- The Headteacher, or in the case of a complaint against the Headteacher, the Director of School Improvement, will appoint an appropriate member of staff to investigate your formal complaint, in line with Ventrus Complaints Policy & Procedures; this may be a Headteacher from another Ventrus school.
- The written conclusion of this investigation will be sent to the complainant within 20 days.

### **STAGE 3: A FORMAL COMPLAINT REVIEW**

If the complainant is not satisfied that their formal complaint has been resolved to their satisfaction, they may decide to escalate their formal complaint to the next stage: ***A Formal Complaint Review.***

### **Who you should contact**

When escalating a formal complaint, the complainant should inform the Ventrus Company Secretary, within 10 school days of the date of the written response, that they are not satisfied with the response they have received and state their intention to escalate their complaint to a Formal Complaint Review. The cosec should be contacted by email: [cosec@ventrus.org.uk](mailto:cosec@ventrus.org.uk). Please add “Escalation to Formal Complaint Review” to the subject line of the email. Requests received outside of this time frame will be considered in exceptional circumstances.

### **The information you should provide, when escalating to a Formal Complaint Review**

- A copy of the complaint you are escalating and the written response you received at Stage 2, attached to your email to the Ventrus Company Secretary.
- A summary of why you are dissatisfied with the outcome provided at Stage 2.

### **What happens once you have notified us of your intention to escalate to a Formal Complaint Review**

The Ventrus Company Secretary will

- Acknowledge the receipt of the email, notifying them of the complainant's intent to escalate their complaint to a Formal Complaint Review Committee, normally within 48 hours.
- Notify the Executive Leadership Team of the need to convene a Formal Complaint Review Committee, immediately following the acknowledgement of the receipt of the complainant's intent to escalate their complaint.
- Set the date of the Formal Complaint Review meeting, normally within 10 school days of the date of the complainant's email.
- The complainant must have reasonable notice of the date of the Formal Complaint Review Committee meeting; however, the Formal Complaint Review Committee reserves the right to convene at their convenience, rather than that of the complainant.

### **Convening a Formal Complaint Review Committee**

Formal Complaint Review Committee Members will

- Be appointed by the Ventrus Executive Leadership Team.
- Be comprised of 3 people.
- Not have been involved in the complaint in the earlier stages and will be independent of the daily management of the school.
- Will be drawn from the following pool of people:
  - Ventrus Board of Trustees, or Executive Leadership Team (at least one panel member will be drawn from this group)
  - Ventrus Headteachers, or Deputy Headteachers
  - Ventrus Local Governors (Wherever possible one member of the school's own local governing body will be a Complaint Panel Member)
  - A member of the local Diocese if applicable
- Have access to the existing record of the complaint's progress.
- Be accompanied by a minute taker

### **Appointing the Formal Complaint Review Committee Chairperson**

- The Chairperson of the Formal Complaint Review Committee, will be appointed by the Formal Complaint Review Committee members.

### **The Role of the Formal Complaint Review Committee Chairperson**

- Chairing the meeting, ensuring that everyone is treated with respect throughout.
- Making sure all parties see the relevant information (at least 3 days in advance of the meeting) and understand the purpose of the committee.
- Ensuring all parties are allowed to present their case.

### **At the Meeting**

At the Formal Complaint Review Committee 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.

The complainant must be allowed to attend the Formal Complaint Review Committee meeting and be accompanied, if they wish. The Formal Complaint Review Committee require notification of the name of the person accompanying the complainant, and their relationship to the complainant, 24 hours before the meeting.

Members of staff have the right to be accompanied by their Union Representative, however, the Formal Complaint Review Committee reserves the right to convene at their convenience, and will not delay the meeting, in the event this cannot be achieved.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The Formal Complaint Review Committee, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered by the Formal Complaint Review Committee.

The Formal Complaint Review Committee must then put together its findings and recommendations from the case. They will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Board of Trustees and the Headteacher.

The Chairperson of the Formal Complaint Review Committee will inform those involved of the decision in writing within 10 school days of the Formal Complaint Review Committee.

## VENTRUS FORMAL COMPLAINT FORM TEMPLATE

**Your name**

**Pupil's name**

**Your relationship to the pupil**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**If you have attempted to resolve this complaint informally at Stage 1, please provide evidence of the steps you have taken to resolve the matter e.g. dates of meetings, details of who you spoke to, copies of letters/emails to the school, copies of written responses from the school.**

**If you have not attempted to resolve the matter informally, please offer a brief summary of the reason you have made that decision.**

**Please provide the details of your complaint.**

**How do you believe this complaint can be resolved at this stage?**

**Please list the letters/emails/documents you are attaching to this complaint.**

**Signature:**

**Date:**

***Official use***

***Date acknowledgement sent***

***By whom***

***Complaint referred to:***

***Date:***

