



Complaints Procedure

Policy Statement

The vast majority of complaints and concerns can be resolved informally. Parents must feel able to raise concerns and complaints with members of staff at the Joseph Trust without formality, either in person, by telephone or in writing.

At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making an education complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further. A concern or unresolved problem becomes a complaint only when the parent or carer asserts that The Joseph Trust has acted wrongly in some significant decision, action or failure to take action. Even when a complaint has been made it can be resolved or withdrawn at any stage

1. Aims of the Policy

1.1 This policy will ensure that when a parent or other adult makes a complaint, each school deals with it in a professional and timely manner and comes to a speedy resolution wherever possible. The policy will also ensure that the school records and monitors complaints for its own self-improvement. The school will support complainants with information and be fair to those complained about.

2. What are the principles involved?

- We believe that parents and other adults should be able to resolve any difficulties with The Joseph Trust easily.
- The majority of difficulties can be resolved quickly and informally if the Joseph Trust has clear and speedy procedures which are easy to understand and widely available.
- We value difficulties being drawn to our attention early.
- We want our parents and other adults to be pleased with the services we provide and the way we operate in our community.
- We will ensure all complainants receive accurate information, and that all persons complained against are treated fairly and have their rights upheld.
- We will treat complaints with discretion.
- Parents in particular will be assured that their complaint will not result in their child being treated less favourably by the Joseph trust..
- If the school is at fault, we will make appropriate redress to the complainant.
- We will ensure staff understand the principles and procedures, so that they can ensure any concern or complaint is treated with the appropriate seriousness and directed to the correct person.
- We will keep a record of complaints received and monitor the record.

3 Record Keeping

3.1 The Joseph Trust will record the progress of all complaints, including information about actions taken at all stages, if the complaint was resolved at the formal stage or proceeded to a panel hearing, the action taken by the Joseph Trust as a result of the complaint, and the final outcome.

3.2 The records will include copies of letters, emails and notes relating to meetings and phone calls.

3.3 All material will be treated as confidential and will be viewed only by those involved in investigating the complaint or on the 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 under the terms of Data Protection Legislation, or where the material must be made available during an inspection.

3.4 A full written record will be maintained centrally at the school of all concerns, difficulties and complaints, whether they are resolved informally under Stage 1, or dealt with formally under Stage 2 to Stage 4.

3.5 Complaints Form (Appendix A) kept on the office wall

4. What are our procedures under this policy?

4.1 The vast majority of complaints can be resolved informally - what we refer to as Stage 1.

4.2 Should this not be possible, a complaint can be moved to Stage 2 which involves a formal investigation by a manager.

4.3 If the complainant is not satisfied with the response at Stage 2, they can request a review by the Manager- what we refer to as Stage 3.

4.4 If the complaint is still not resolved satisfactorily by Stage 3, there is a further stage, Stage 4, where the Board of Trustees can review the complaint.

5 Stage 1 Procedure- Informal

5.1 If a parent (or other adult) has a concern, they should raise it directly with an appropriate member of staff. That member of staff may be able to deal with the concern directly, or they may need to refer it to a more appropriate person. In any event, they will clarify the nature of the concern and reassure the complainant that the school wishes to hear about the problem.

5.2 If a complainant is unsure who is the appropriate member of staff, or the concern is with a specific individual, they should contact the school reception and ask to speak to a Deputy Head or Head of School, who will be able to advise.

5.3 If the concern is with the Manager, the complainant should contact the Chair of Trustees Nick Lee. Contact details for Nick are: nick.lee@josephtrust.org.uk

5.4 The member of staff contacted may be able to: offer an explanation of how the situation arose leading to the concern; offer a resolution of the concern; help the complainant to identify what resolution they are looking for; accept the concern and pass it on to another member of staff more suited to dealing with it. In this case, the complainant will be given a time within which that person will contact them with help.

5.5 The member of staff dealing with a concern must: attempt to resolve the complaint

directly with the complainant either verbally or in writing and make sure the complainant is clear about any action agreed, putting it in writing if necessary; check that the complainant is satisfied with the outcome; if the complainant is not satisfied, ask them if they wish to take their complaint to Stage 2 and send them a copy of the complaints policy.

5.6 There is no fixed timescale for informal resolution of a complaint, but the member of staff should attempt resolution generally within 10 days of receiving the complaint.

5.7 If resolution appears unlikely, either party can progress to Stage 2. The complainant and the member of staff should pass their records of the concern to the appropriate manager.

6. Stage 2 Procedure - Formal

6.1 At this stage, it is clear the concern is a definite complaint.

6.2 The complainant should put their complaint in writing. If the complainant would prefer to complete a form instead of writing a letter, they can complete the Complaint Form contained in Appendix 1 of this policy.

6.3 The complaint must be handed to and then logged by the manager of The Joseph Trust.

6.4 If a complaint is against the action of the manager of the Joseph Trust, the complaint must be referred to the Chair of Trustees who will act as an investigator or appoint an investigator independent of the manager..

The manager must then appoint an appropriate person as the investigator.

6.6 The investigator must contact the complainant, acknowledging receipt of their complaint within 2 working days. It may be appropriate to request a meeting to clarify any issues arising.

6.7 The investigator must respond to the complainant within 10 working days of the complaint being received with the outcome of the investigation. The response can be verbally initially, but must be followed up in writing.

6.8 If it is not possible to conclude the investigation within 10 working days, the investigator must notify the complainant in writing within the 10 working days, give reasons for the delay and state the expected date of conclusion of the investigation.

6.9 If the complainant is still not satisfied, they have recourse to a formal review by the Manager of the Joseph Trust. They must apply for this within 20 working days. The letter of response must make this clear to the complainant.

7 Stage 3 Procedure - Formal Review by the Manager of The Joseph Trust

7.1 Complaints only rarely reach this level. It is important that the Manager has not been involved in the complaint before this stage.

7.2 If the complaint is against the Manager, it must proceed directly to Stage 4.

7.3 The complaint must be logged by a trustee member, who will act as the Complaints Officer, and acknowledged within 2 working days. All details of the previous handling of the complaint must at this point be passed to the Manager of the Joseph Trust..

7.4 The Manager must review the response of the Joseph Trust. In particular, s/he must

review: whether the complaint was dealt with correctly under the procedures in this policy; whether the complainant was treated properly and with due respect; whether the attempt at resolution was reasonable and appropriate.

7.5 The Manager must respond to the complainant with an outcome within 10 working days of the complaint being received at Stage 3. The response can be verbally initially, but must be followed up in writing.

8 Stage 4 Procedure - Review by the Board of Trustees.

8.1 Complaints only rarely reach this formal level, but it is important that the Board of Trustees are prepared to deal with them when necessary.

8.2 It is important that this review not only be independent and impartial but that it is seen to be so. Therefore, individual complaints should not be considered by the full Board of Trustees as serious conflicts of interest can arise. For example, in exceptional circumstances, a complaint may result in disciplinary action against a member of staff and the Board of Trustees might be required to give an unprejudiced hearing to an appeal by the member of staff concerned. Similarly, some board of trustees might have previous knowledge of the problem that led to the complaint and would be unable to give fair, unbiased consideration to the issue.

8.3 Many complaints are inevitably seen by parents as being "against" a particular member of staff and their actions. However, all complaints which reach this stage will have done so because the complainant has not been satisfied by the Manager's response at the earlier stage of the procedure, and it may be appropriate for the Board of Trustees to consider that the complaint is against the Joseph Trust rather than against the member of staff whose actions led to the original complaint.

8.4 For a complaint to proceed to Stage 4, the complainant must submit a request in writing to the Chair of Trustees. This should be sent to Nick Lee the Chair of Trustees, his contact is: nick.lee@jospehtrust.org.uk

The procedures outlined below should then be followed:

- The Chair of Trustees acknowledges the receipt of the complaint in writing within 5 working days.
- The acknowledgement must inform the complainant that the complaint is to be heard by a Trustees Body Panel within 30 working days of receiving the complaint and with at least 20 working days' notice.
- The acknowledgement must also explain that the complainant has the right to submit any further documents relevant to the complaint up to 10 working days before the date of the hearing.
- The Chair of Trustees should convene a Joseph Trust Complaints Panel. The panel should consist of three members, who are not directly involved in the matters detailed in the complaint.
- At least one panel member must be independent of the management and running of the Joseph Trust.
- The Chair of Trustees will write to the complainant giving at least 20 working days' notice of the date of the hearing and informing them of the standard procedure of the Panel, and of their right to submit further documents via the Chair of Trustees up to

10 working days before the Panel.

8.5 The Panel composition should be as follows: it should consist of three members within the Joseph Trust;

at least one member should be independent of the management and running of the Joseph Trust. No panel member should have had any prior involvement with the complaint..

8.6 The Chair of the Panel will ensure that the complaint is heard by the Panel within 30 working days of receiving the request to the Chair to review the complaint. All relevant correspondence regarding the complaint should be given to each Panel member at least 5 days before the hearing. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for circulation to Panel members.

8.7 The Chair of the Panel will write to all parties (the complainant, Manager, members of the Panel and any relevant witnesses) at least 5 working days before the meeting, informing them of the date, time and place. The notification to the complainant should also inform him/her of his/her right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted.

8.8 The Chair of the Panel should invite the Manager to attend the Panel meeting and prepare a written report for the Panel in response to the complaint. The Manager may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint. The Manager must inform the Chair in advance of any staff invited to attend the Panel hearing and ask them to confirm the name and designation of anyone they wish to bring with them. Any relevant documents, including the Manager's report, should be received by all concerned - including the complainant - at least 5 working days prior to the meeting.

8.9 The attendance of staff, other than the Manager, is subject to the discretion of the Chair of the Panel.

8.10 It is the responsibility of the Chair of the Panel to ensure that proper minutes are taken of the meeting.

8.11 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the Joseph Trust and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations that will satisfy the complainant that his or her complaint has at least been taken seriously.

The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. It is therefore recommended that the Chair of the Panel ensures that the proceedings are as informal as possible.

8.13 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

8.14 The order of the meeting should be: the complainant to explain their complaint; the Manager to explain the Joseph Trust's response; the Manager to question the complainant about the complaint; the complainant to question the Manager and/or other members of staff about the Joseph Trust's response; Panel members to have an opportunity to question both the complainant and the Manager; any party to have the right to call witnesses (subject to the approval of the Chair); all parties have the right to question all the witnesses; final

statements by both the complainant and the Manager..

8.15 The Chair of the Panel will explain to the complainant and the Manager that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 working days. The complainant, Manager and other members of staff will then leave.

8.16 The Panel will then consider the complaint and all the evidence presented and put together its findings and recommendations on the case. The Panel will: (a) reach a unanimous, or at least a majority, decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the Joseph Trust's systems or procedures to ensure that problems of a similar nature do not happen again.

8.17 A written statement outlining the decision of the Panel must be sent to the complainant, and where relevant the individual who is the subject of the complaint and the Manager.. A copy of the letter will also be made available on the school's premises for inspection.. The letter to the complainant should explain that if they are not satisfied with the response whether a further appeal can be made and, if so, to whom.

8.19 The school should ensure that a copy of all correspondence and notes are kept on file in the Joseph Trusts records. These records should be kept separately from any involved pupil's personal records.



Appendix 1 : Complaint Form

Please complete and return to the Manager of The Joseph Trust

Your name:

Address:

Postcode:

Pupil's name:

Pupil's DOB:

Relationship to pupil:

Telephone number:

Mobile number:

Email address:

Preferred method of contact:

Full details of complaint:

What action have you taken to try and resolve your complaint - for example, 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.

Signature:

Date:

For Official Use:

Date Acknowledgment sent:

Name of Person Complaint Referred to:

Signature: