

COMPLAINTS PROCEDURE FOR PARENTS, GUARDIANS AND MEMBERS OF THE PUBLIC

Version		6.1	
Date		June 2021	
Approved by Board of Directors		17.06.21 (not temporary 6.1 amendment)	
Version	Date	Description	Revision author
2.0	Sept17	Updated against .gov.uk current guidance.	FMW
3.0	Oct18	Minor additions to contact list	AMV/CT
4.0	May 2019	Amends based on ESFA advice about policy compliance	CT
5.0	October 2019	Amended after reference to DfE Model policy specifically including a timescale for complaints.	CT
6.0	June 2021	Amended to provide additional clarity and to reflect structural changes at the Trust.	AMV
6.1		Minor (temporary) change due to Teacher Assessed Grades.	

N.B. Complaints about the award of Teacher Assessed Grades (“TAGs”) as part of the 2021 summer exam series are outside the scope of this Policy and will be considered under the separate Summer 2021 Exams Appeal Process (“SEAP”) only. This is save for where matters relate to TAGs but lie outside of the SEAP’s remit and at the express discretion of Beckfoot Trust. Some exemptions may include a decision to withdraw an entry due to insufficient evidence on which to determine a Teacher Assessed Grade, or not to make an entry in the first place, or any failure or delay in offering or following the SEAP. For these exceptions, any continuing concerns following completion of the Trust’s complaints process may subsequently be raised through the awarding organisation’s complaints process.

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1.0 The Complaints Procedure for Parents and Guardians of Attending or Former Students

The Complaints Procedure used by schools within the Beckfoot Trust and the Beckfoot Trust Board is outlined in Stages 1-4 below.

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’*. These are normally dealt with immediately in school (stage 1).

A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*. These will be dealt with in line with stage 2 and 3 of this procedure.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Beckfoot Trust, if appropriate, will determine whether the complaint warrants an investigation.

Confidentiality

Correspondence, statements and records relating to individual complaints are kept confidentially, but may be shown to organisations like Ofsted responsible for inspecting school standards.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Other Factors

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.

If a complainant commences legal action against the school or Trust 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.

Withdrawal of a Complaint

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

Roles and Responsibilities – Complainant

The Trust understands that complainants may have strong grievances but would expect them to behave towards its staff in a respectful and courteous manner whilst their complaint is being resolved.

The complainant will receive a faster and more complete response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for further clarification
- ask for assistance as needed
- refrain from publicising the details of their complaint on social media and respect confidentiality

Roles and Responsibilities – Trust Administrator

The Trust Administrator will co-ordinate any complaints which escalate through the procedure from school to Trust and Board level. They will:

- direct complaints received at the Trust to be dealt with by school, if appropriate, in line with Stage 1 of the procedure
- act as the contact point in the Trust for those complaints escalated beyond Stage 2
- liaise with the Trust Compliance Officer to determine which staff should assist at Stage 2b and who should investigate for a panel hearing
- manage the complaint and liaise with the complainant, school, Trust staff and investigator as appropriate
- convene a panel of Board Directors, should a complaint reach level 3
- maintain records of complaints received at Trust and Board level (that have proceeded to 2b or beyond). This will detail the stage the complaint has reached and what actions have been taken.

Roles and Responsibilities – Investigator (School or Trust Level)

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and other staff as appropriate to clarify what the complainant feels would put things right

Investigators will:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- Ensure appropriate records are kept, including the stage the complaint has reached and what actions have been taken by the School / Trust to resolve the issue. If the complaint has proceeded to 2b or beyond the Trust Administrator will also be responsible for keeping the records of the complaint.

The Complaint Stages

Stage 1 - Informal

We hope that the school can resolve any concerns that parents/guardians may have and initially a parent/guardian should contact their child's class teacher, Year Head, Key Stage head, Deputy Headteacher or Headteacher to make an appointment to discuss their concerns. In most cases we find that concerns are dealt with successfully, often immediately, at this informal level. However, there are formal routes that you can use if you wish to take the matter further.

If requested, we would hope to be able to arrange a meeting to discuss a concern informally within 3 working days and to have investigated and responded to the concern within 10 working days of the informal concern meeting.

Stage 2 – Formal

Stage 2a

If a parent/guardian feels their complaint has not been satisfactorily resolved informally (in line with Stage 1), they should write to the Headteacher and detail their concerns. The Headteacher will arrange an investigation, appoint a School Investigator (this could be the headteacher themselves) and ensure that a formal, written response is provided.

We would hope to acknowledge receipt of the written complaint within 3 working days of its receipt. If a face-to-face clarification meeting is required in order to establish the full context of the complaint, we would hope to arrange this within 3 working days of receipt of the complaint. We would hope to have investigated and responded to the complaint with 10 working days of the

original letter arriving or the clarification meeting if one has been needed. In exceptional circumstances, for complex or wide-ranging complaints, the school may need longer to investigate. If this is the case, the complainant will be informed in writing explaining why longer is needed and setting a new date for a response.

Stage 2b

If the complaint is not resolved having been through Stage 1 and Stage 2a, either the school or the complainant can ask for additional assessment of the complaint by a member of senior staff from the Trust. This may be a member of the central team or a member of staff from a different school in the Trust. It will not be the same person who investigates if the procedure escalates to stage 3. This is another chance to resolve the complaint without the need for a formal panel hearing. The member of senior staff at the Trust may be a specialist in a certain field, including (but not exclusively):

- SEND (special/medical needs)
- Teaching and Learning (achievement, standards, curriculum, exams etc.)
- Safeguarding
- Health and Safety
- GDPR
- Human Resources
- Financial Issues

They will endeavour to provide a written response within 10 working days. Where a parent/guardian still feels they are still not satisfied with the investigation and findings arranged by the Headteacher and/or Trust staff in response to their written complaint, they may appeal to the Board of Directors of the Beckfoot Trust.

The details of the complaint should be put in writing and should be addressed to:

The Trust Administrator, Beckfoot Trust, Wagon Lane, Bingley, BD16 1EE.

Stage 3 – Formal with a Panel Hearing

When a parent/guardian raises a complaint with the Trust Board of Directors, the Directors will check firstly to see that the complaint has been dealt with thoroughly in Stage 1 and Stage 2 of this procedure. If it has, a Panel Hearing will be arranged. The Panel will include three people not involved in matters detailed in the complaint and at least one person will be independent of the management and running of the school. The Panel will appoint a Trust Investigator (who has not been involved in Stage 1 or Stage 2 of the complaint), hear the complaint, and establish any findings and/or recommendations.

Parents/guardians will be invited to the Panel Hearing and can be accompanied if they wish.

The Board of Directors would hope to acknowledge receipt of the written complaint within 3 working days of its receipt. A Panel Hearing will be arranged as soon as possible, hopefully within 10 working days, wherever possible parent/guardians will be given reasonable notice. The Panel would hope to have investigated and responded to the complaint (in writing if requested) within 10 working days of the Panel Hearing.

The findings and any recommendations from the Panel Hearing will be made available to the parent/guardian making the complaint and, where relevant, the person complained about and will be available for inspection on the school premises.

Written records will be kept of all complaints making clear the stage at which they were resolved or concluded and the action taken by the school regardless of whether the complaint was upheld. The records will be kept for a duration compliant with general data protection legislation requirements.

Stage 4 - Complaints about Beckfoot Trust

If parents/guardians consider they have not received a satisfactory resolution to their complaint after elevating the concern to the Beckfoot Trust Board, they can consider referring to one of the following (or any other statutory body as appropriate):

- Complaints can be made to the Education and Skills Funding Agency (Responsible for monitoring Academy Trust financial probity for the Government) via the online schools complaints form: https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496-7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen
- Local Citizens Advice Bureau
- Some types of complaint may need to be referred to a different agency as below:-

Complaint Type	Who to contact
Child protection	Bradford Council
Criminal behaviour Police	West Yorkshire Police
Data protection	Information Commissioner's Office
Discrimination	Equality Advisory and Support Service
Employment	An employment tribunal
Food Hygiene (catering)	Bradford Council
Exam malpractice or maladministration	Ofqual and the awarding body
Health and Safety at Work	Health and Safety Executive
Quality of education or leadership	Ofsted
- Guidance can be obtained via <https://www.gov.uk/complain-about-school>

2.0 The Complaints Procedure for People who are not Parents/guardians of Attending or Former Students

Complaints received from people who are not parents/guardians of attending or former students are taken very seriously and dealt with along similar lines to those for parents and guardians of students.

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'*. These are normally dealt with immediately in school (stage 1).

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*. These will be dealt with in line with stage 2 and 3 of this procedure.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Beckfoot Trust, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Other Factors

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.

If a complainant commences legal action against the school or Trust 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.

Withdrawal of a Complaint

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

The Complaint Stages

Stage 1 - Informal

We hope that the school can resolve any complaints that members of the public may have and initially they should be referred to the Headteacher who will arrange for a response – usually a meeting with the complainant. In most cases we find that complaints are dealt with successfully at this informal level. This process will be completed as soon as possible.

Stage 2a – Formal

If a member of the public feels their complaint has not been satisfactorily resolved informally (Stage 1), they should write to the Headteacher and detail their concerns, specifically outlining why they are not satisfied with the outcome of the informal stage of the process. The Headteacher will arrange an investigation, appoint a School Investigator (this could be the headteacher themselves) and ensure that a formal, written response is provided. This process will be completed as soon as possible.

Stage 2b – If this does not resolve the complaint, either the school or the complainant can ask for additional assessment of the complaint by a member of senior staff from the Trust. It could be a member of the central team or a member of staff from a different school in the Trust. It will not be the same person who investigates if the procedure escalates to stage 3. This is another chance to resolve the complaint without the need for a formal panel hearing. The member of senior staff at the Trust will be a specialist in a certain field, including (but not exclusively):

- SEND (special/medical needs)
- Teaching and Learning (achievement, standards, curriculum, exams etc.)
- Safeguarding
- Health and Safety
- GDPR
- Human Resources
- Financial Issues

Where a member of the public feels they are still not satisfied with the investigation and findings arranged by the Headteacher in response to their written complaint, they may appeal to the Board of Directors of the Beckfoot Trust. The nature of the complaint should be made in writing and should be addressed to:

The Trust Administrator, Beckfoot Trust, Wagon Lane, Bingley, BD16 1EE.

Stage 3 – A Director’s Hearing:

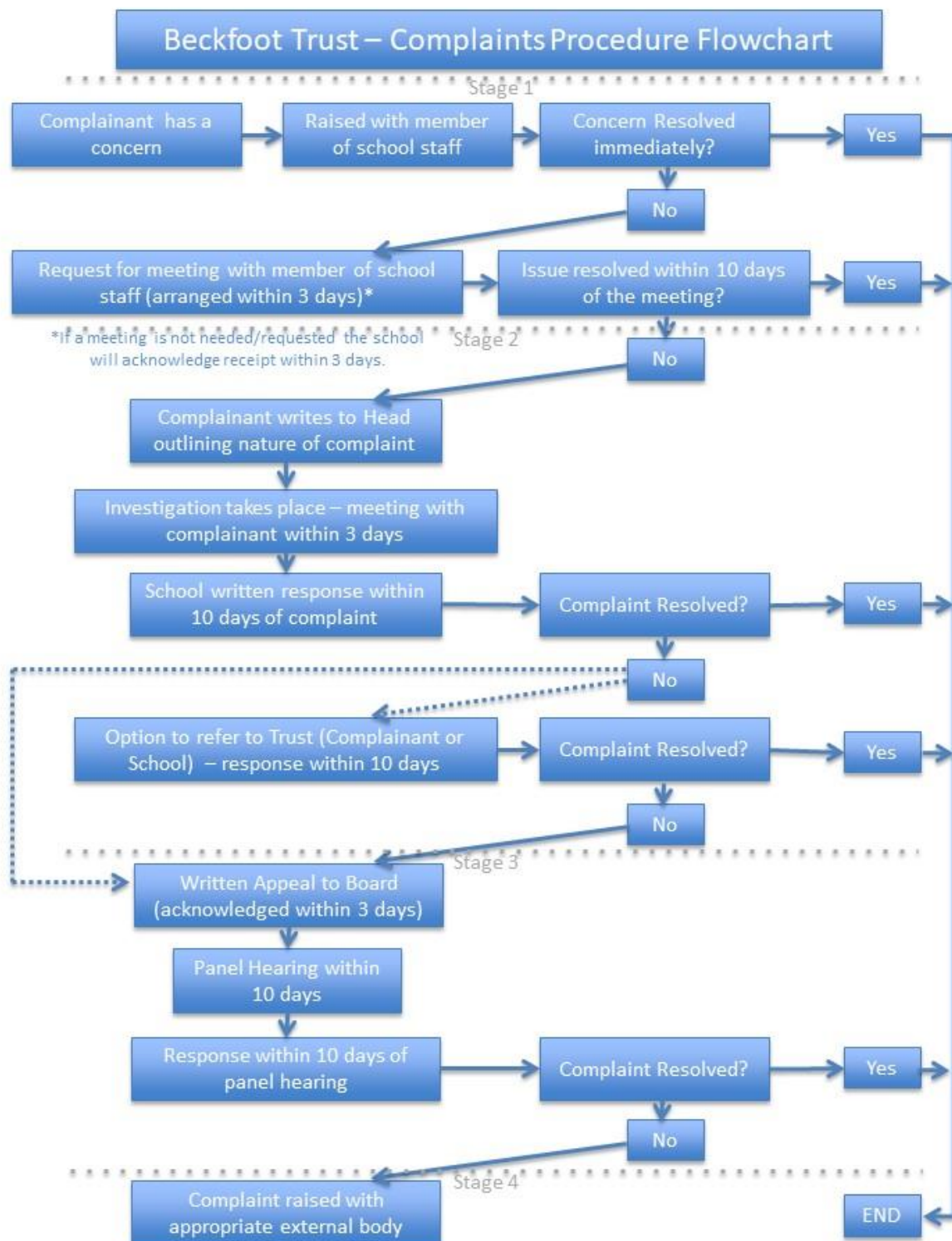
When a member of the public raises a complaint with the Board of Directors, the Directors will check firstly to see that the complaint has been dealt with thoroughly in Stage 1 and Stage 2 of this procedure. If it has, a Director’s Hearing will be arranged and the member of the public will be asked to attend. The Panel will appoint a Trust Investigator (who has not been involved to that point), hear the complaint, establish any findings and/or recommendations and provide a response in writing.

Stage 4. Complaints about Beckfoot Trust

If members of the public consider they have not received a satisfactory resolution to their complaint after elevating the concern to the Beckfoot Trust Board, they can consider referring to one of the following:

- Complaints can be made to the Education and Skills Funding Agency (Responsible for monitoring Academy Trust financial probity for the Government) via the online schools complaints form: https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496-7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen
- Local Citizens Advice Bureau
- Some types of complaint may need to be referred to a different agency as below:-

Complaint Type	Who to contact
Child protection	Bradford Council
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Data protection	Information Commissioner’s Office
Discrimination	Equality Advisory and Support Service
Employment	An employment tribunal
Food Hygiene (catering)	Bradford Council
Exam malpractice or maladministration	Ofqual and the awarding body
Health and Safety at Work	Health and Safety Executive
Quality of education or leadership	Ofsted
- Guidance can be obtained via <https://www.gov.uk/complain-about-school>



N.B. Timescales all 'working days in term time'. Timescales do not apply to complaints from individuals who are not parents/guardians of attending or former students.

ENDS