



**Inspiring Futures
through Learning**

Inspiring Futures through Learning

IFtL Complaints Procedure

September 2022 to September 2024

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1. Trust wide:
 - This one policy is relevant to everyone and consistently applied across all schools and Trust departments with no variations.
 - Approved by the IFtL Board of Trustees.
2. Trust core values:
 - This policy defines the values to be incorporated fully in all other policies on this subject across all schools and Trust departments. This policy should therefore form the basis of a localised school / department policy that in addition contains relevant information, procedures and / or processes contextualised to that school / department
 - Approved by the IFtL Board of Trustees as a Trust Core Values policy
 - Approved by school / department governance bodies as a relevantly contextualised school / department policy.
3. School / department policies
 - These are defined independently by schools / departments as appropriate
 - Approved by school / department governance bodies.

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1. Aim of this procedure

Inspiring Futures through Learning Multi-Academy Trust (IFtL) and its constituent schools and departments are dedicated to providing the best possible education and support for all pupils, students and families within its schools. Where concerns or complaints are received, we aim to respond such that we:

- Ensure responses are 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 and courtesy
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Act in line with our statutory obligations

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Positive relationships with our families and community are of utmost importance to us.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. We take 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 (or department leader) will refer you to another staff member. Similarly, if the staff member directly involved feels unable to deal with a concern, the Headteacher (or department leader) will refer you to another staff member. This member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

To support this, we will ensure we publicise the existence of this procedure and make it available on the school and IFtL websites.

2. Who can make a complaint

The complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the relevant school or department within IFtL about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (see Scope section below), we will use this Complaints Procedure.

3. The difference between a concern and a complaint

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". IFtL and its schools / departments will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

4. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so and this is communicated by the complainant.

Complaints that involve or are about school staff (except the head teacher) should be made in the first instance, to the head teacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of Governors (name available through the school website or from the school office), via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body (name available through the school website or through the school office), via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about IFtL (non-school based) members of staff should be addressed to the Head of Governance at IFtL, c/o Fairfield's Primary School, Apollo Avenue, Milton Keynes MK11 4BA. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of IFtL, should be addressed to the Chair of the Board of Trustees Governance at IFtL, c/o Fairfield's Primary School, Apollo Avenue, Milton Keynes MK11 4BA. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school or IFtL office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to fully 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.

It is expected that our colleagues are addressed in a respectful manner and for communication to remain calm at all times.

5. Anonymous complaints

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances. Please refer to the IFtL Whistleblowing Policy.

6. Time Scales

Complaints must be raised 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.

If other bodies are investigating aspects of the complaint, for example, the Local Authority (LA) safeguarding teams, Tribunals or the police, this may impact on our ability to adhere to the timescales within the procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale. If a complainant commences legal action against IFtL or any of its constituent

schools or departments, in relation to their complaint whether to suspend the complaints procedure until those legal proceedings have concluded.

7. 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. Where mentioned, 'school / working days' exclude weekends and school holidays.

8. Scope of this Complaints Procedure

This procedure covers complaints about any provision of services by IFtL and its constituent schools and departments (including fulfilment of Early Years Requirements), other than complaints that are dealt with under statutory procedures, including those listed below:

- Pupil admissions;
- Statutory assessments of Special Educational Needs (SEN)
- Exclusion of children from school;
- Staff grievance, capability or disciplinary issues
- Matters likely to require a Child Protection investigation
- Issues related to safeguarding and child protection including Whistleblowing
- School re-organisation proposals
- Complaints about services provided by a third party who may use school/trust premises or facilities.
- Anonymous Complaints – please refer to the Whistleblowing Policy at www.iftl.co.uk
- Subject Access Requests and Freedom of Information requests

Please see separate policies and / or procedures relating to these types of complaint.

9. Complaints about our fulfilment of Early Years requirements.

We will investigate all written complaints relating to the school's or IFtL's fulfilment of the Early Years Foundation Stage requirements and notify the complainant of the outcomes within 20 school days of receiving the complaint. The school / IFtL will keep a copy of the complaint and will make this available to Ofsted on request.

Parents and carers can contact Ofsted if they believe that the school/Trust is not meeting Early Years Foundation Stage requirements by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk.

An online 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.

10. Complaints from parents of children with special educational needs

IFtL believes in an inclusive education for **all** children.

We work as a team with parents/carers and specialist professionals to ensure that our care, support and provision is of the highest standard. Children's strengths are highlighted and their views and aspirations are important.

Every class teacher has responsibility for all the children in their class who have special educational needs. They work closely with the School Special Educational Needs

Coordinator (SENCO) to plan the best provision for the children. This is implemented through a graduated approach in line with the Inclusion Strategy via the Local Offer.

If you wish to complain about the support that your child has been offered by the school in respect of their Special Educational Needs or Disability, we would hope this would be able to be resolved informally through discussions the class teacher, SENDCo or Headteacher and actively encourage you to discuss any concerns you have directly with them.

If you wish to formally complain about a school's SEND support, you should do it while your child is still registered at the school. This includes complaints that the school has not provided the support required by your child's SEN statement or education, health and care (EHC) plan.

Making a complaint

Follow these steps in order. Move on to the next step if your complaint is not resolved.

2. Talk to your child's class teacher.
3. Talk to the school's special educational needs co-ordinator (SENCO).
4. Talk to the school's Headteacher.
5. Follow this complaints procedure.
6. Complain to your local authority.
7. Complain to the Education and Skills Funding Agency (ESFA) instead of the Local Authority if both the following apply:
 - The school is an academy or free school (this applies to all IFtL schools)
 - Your complaint is not about an SEND statement or an EHC plan

If the complaint is not resolved after it has been considered through the IFtL complaints procedure, a disagreement resolution service or mediation service may be contracted. If it remains unresolved after this, the complainant can appeal to the First-tier Tribunal (Special Educational Needs and Disability), if the case refers to disability discrimination, or to the Secretary of State for all other cases.

There's a different process if you disagree with a decision your local authority has made about an SEN statement or an EHC plan. There are some circumstances, usually for children who have an Educational, Health and Care Plan, where there is a statutory right for parents to appeal against a decision of the Local Authority. Complaints that fall within this category cannot be investigated by the school or IFtL.

Managing parental complaints related to SEND (any of the following may apply):

- All SEND complaints must follow the school's formal complaints procedure.
- The SEND/ Pupil Support governor is consulted.
- External advice may be sought.
- Key legislation regarding the matter is identified.
- Good levels of communication with the parents/carers are maintained throughout the process.
- Meetings with the parents/carers are arranged, perhaps involving a mediator such as parent support.
- Key issues are identified including where there is agreement.
- Discussions should take place with the SENCO.
- Reports provided by outside agencies should be considered.

11. Resolving complaints

IFtL, and its constituent schools and departments, intend to resolve complaints informally where possible, at the earliest possible stage. At each stage in the procedure, IFtL wants to resolve the complaint. In addition we may offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

12. Withdrawal of a complaint

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

13. Stages of the Complaints Procedure

Further details of each stage of the complaints procedure are given in sections x however, a summary of the stages is:

Stage 1: Informal concerns	Individual making the complaint (complainant) brings complaint to attention of member of staff
	Dialogue to take place with the aim of resolution
	If no satisfactory resolution has been found, consideration of proceeding to Stage 2 to be made
Stage 2: Formal Written Complaint	Complainant to put complaint in writing by letter or email
	Complaint to be acknowledged within 5 school days
	Response to the complaint sent within 15 school days
Stage 3: Referral to Complaints Committee	Parent to request hearing within 10 school days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within 5 school days
	Hearing to take place within 20 school days of receipt of request
	Notification of date, time and place of the hearing and details of the committee members present sent at least 5 school days before the hearing
	Trust and individual making the complaint to submit evidence in support of their case to Clerk at least 3 school days before the hearing
	Complaints Committee decision sent not more than 5 school days after the hearing

14. Stage 1 – Informal Complaints

Many enquiries and concerns can be dealt with satisfactorily by a member of staff without the need to resort to the formal procedure. We value informal meetings and discussions and

encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

Concerns should be raised with either the class teacher, year head / subject head or head teacher. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. You may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response.

If the issue remains unresolved, the next step is to make a formal complaint.

15. Stage 2 – Formal complaints

Formal complaints must be made to the head teacher (unless they are about the head teacher or others identified in section 4 of this procedure), via the school office. This may be done in person or in writing (preferably on the Complaint Form template provided as part of this document).

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the head teacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
 - o If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that their parents were not involve, another member of staff with whom the pupil feels comfortable should be present.
 - o If a member of staff is complained against, they must have the opportunity to present their case
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the investigation, the head teacher will provide a formal written response within 15 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to be taken to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the head teacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the head teacher or member of the governing body must be made in line with Section 4 of this procedure.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

then Stage 2 will be escalated to the CEO of the Trust.

16. Stage 3 – Complaints Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent to the running of the school. This is the final stage of the complaints procedure.

To request a hearing before the Complaints Committee, you should write to the Clerk to the Governing Body (see school website for contact) or the Clerk to the Board of Trustees of IFtL c/o Fairfields Primary School, Apollo Avenue, Fairfields, Milton Keynes MK11 4BA or clerk@iftl.co.uk within 10 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

then Stage 3 will be heard by IFtL Trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal

representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. Representatives from the media are not permitted to attend.

Note: Whilst complaints about staff conduct may be received through this complaints procedure, complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 3 school days before the meeting.

Any written material will be circulated to all parties 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can (by a majority if necessary):

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the hearing taking place.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to be taken in response to the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

17. Records of complaints

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy.

18. Referral of complaint to Education and Skills Funding Agency (ESFA)

If the complainant is dissatisfied with the decision of the Complaints Panel Hearing, they are entitled to refer the complaint to the Education and Skills Funding Agency (ESFA) who has limited powers to review the handling of the complaint in accordance with ESFA's 'Procedure for dealing with complaints about academies'. At the time of writing this procedure, the ESFA procedure and the ESFA academy complaints form are available at:

<https://www.gov.uk/complain-about-school>

19. Unreasonable complaints – vexatious complaints

If a complaint is made that raises an issue that has already been dealt with via the complaints procedure, and that procedure has been exhausted, the school / IFtL will not reinvestigate the complaint unless there are exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Headteacher/CEO will write to them explaining that the matter has been dealt with fully in line with the school/Trust complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the issue further.

Unreasonable complaints include the following scenarios:

- the complainant refuses to co-operate with the school's relevant procedures
- the complainant changes the basis of the complaint as the complaint progresses
- the complainant seeks an unrealistic outcome
- excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate
- the complainant acts in a way that is abusive or offensive.

The Headteacher/CEO will use their discretion to choose not to investigate these complaints. If they decide to take this course of action, the Chair of Governors/Trustees must be informed, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Headteacher/CEO to investigate the complaint. The full complaints procedure will then commence from stage one on this direction.

If the Chair upholds the Headteacher/CEO's decision not to look into the complaint, and the complainant deems this decision to be so unreasonable that no other rational board in the same position would have made that decision, then the complainant may write to the Department for Education.

20. Monitoring and review of complaints

The Local Governing Boards and Board of Trustees will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary and will determine whether there are any improvements that the school/Trust can make to its procedures or practice to prevent similar events in the future.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to the Trust process and identification to identify underlying issues that need to be addressed.

The monitoring and review of complaints by the schools, Governing Boards and Trust will be a useful tool in evaluating a school's and Trusts performance.

IFtL is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school and/or Trust. However, we do not expect any of our staff within Schools and the Trust to tolerate unacceptable behaviour and will act to protect staff from any kind of abusive, offensive or threatening behaviour.

21. Relevant 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 procedure complies with our funding agreement and articles of association and 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.

In addition, the below legislation / guidance documents are relevant to this procedure:

The Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 2018

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

Understanding and Dealing with Issues Relating to Parental Responsibility 2018

<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility>

Publicising the Procedure

The legal requirement for the Complaints Procedures to be publicised will be fulfilled by including details in:

- the websites of IFtL (www.iftl.co.uk) and its schools;
- any report/communication from the Trustees;
- the information given to IFtL Employees

22. Safeguarding Statement

Safeguarding is everyone's business. IFtL is committed to ensuring that all our children, young people and adults are safe and feel safe.

If you have any concerns at all, raise them **immediately** with the local DSL or IFtL's Head of Safeguarding, Health, Children and Families: vblackmore@iftl.co.uk

For further contact details, see:

- IFtL Child Protection and Safeguarding policy
- IFtL Whistleblowing policy

<https://www.iftl.co.uk/policies/>