

Compliments and Complaints Procedure

Directors Approval – July 2020

Review – July 2021

Jesus grew in wisdom and stature

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Trust Prayer

We thank you, God of Love, for the gift of children, bless the work of our Trust, that in all we do young people may grow in wisdom and stature, and so come to know you, to love you and to serve you as Jesus did. We make our prayer in his name who is God with you and the Holy Spirit, now and forever. Amen

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1. Our Mission

To create a Trust in which our schools will thrive under the leadership of Headteachers, supported and challenged by local governing bodies and accountable to the board of Directors.

We will achieve this by living our values of:

- Collaboration
- Valuing the Local
- Valuing Difference
- Inclusion

We want to ensure that all our children to flourish and reach their full potential, within the explicit Christian culture of our schools.

2. Introduction

We believe that we are fulfilling this command when we enable children of all faiths and none to flourish in our schools. In order for this to happen, the Liverpool Diocesan Schools Trust (LDST) works in collaboration with all stakeholders, valuing the differences within each local context, so that children can flourish and achieve excellence. LDST believes Teachers, Parents, Carers, Pupils and all members of each school's community can make a significant contribution to the education of young people, and therefore should be listened to if there are things that could be improved. We aim to work with parents and carers in a spirit of hope and compassion, to overcome any complaints and issues and this Policy sets out how we will achieve this together.

3. Compliments and Complaints

Availability of the Compliments and Complaints Procedure

The school Compliments and Complaints Procedure must be published on the school website

Compliments

It is always good to receive positive feedback, this can be given verbally or in writing to the school office. It is encouraging to hear when situations go well and are appreciated, and your comments will always be shared with staff and pupils where appropriate. There is also an opportunity to give compliments through our regular questionnaires or Parent View.

Who can make a complaint?

This 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 Liverpool Diocesan Schools Trust about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (see page 5), 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 within the school, without the need to use the formal stages of the complaints procedure. Liverpool Diocesan Schools Trust 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 staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The 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 however, that there are occasions when people would like to raise their concerns formally. In this case, Liverpool Diocesan Schools Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual Directors or 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 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher (or a member of LDST's central team) should be addressed to the CEO of the Trust. Complaints that involve or are about the CEO should be addressed to The Chair of the Board of Directors, at the registered address of the Trust. Please mark them as Private and Confidential.

Complaints about the Chair of Governors of a Local Governing Board, the Chair of Directors, any individual Director/Governor or the whole Governing board should be addressed to the Clerk to the Board of Directors at the registered address of the Trust. 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 office. You can also ask third party organizations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if 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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the CEO, Headteacher or Chair of Directors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

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 only 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.

Scope of this Complaints Procedure

The procedure takes account of the Education (Independent School Standards (England) Regulations 2014 and advice given by the Education and Skills Funding Agency in January 2015 about school complaints procedures.

This procedure covers all complaints about any provision of community facilities or services by LDST, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions		Who to contact
•	Admissions to schools	Concerns about admissions, or statutory assessments of Special
•	Statutory	Educational Needs, should be raised with Warrington Borough
	assessments of	Council Tel: 01925 446226
	Special	Email: schooladmissions@warrington.gov.uk
•	Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Team Tel: 01925442079 email:LADO@warrington.gov.uk

 Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: <u>www.gov.uk/school-discipline-</u> <u>exclusions/exclusions</u> . *complaints about the application of the behaviour procedure can be made through the school's complaints procedure.
Whistleblowing	We have an internal whistleblowing procedure, available on our website, for all our employees, including temporary staff and contractors.
	The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus .
	Volunteer staff who have concerns about our school should complain through the school's complaints procedure.
Staff grievances	Complaints from staff will be dealt with under the internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under our internal disciplinary procedures, if appropriate.
	Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
 Complaints about services provided by other providers who may use school 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

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 investigation.

If a complainant commences legal action against Liverpool Diocesan Schools 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.

Resolving complaints

At each stage in the procedure, the Trust will try 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 and 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.

4. The Process

Stage 1

Formal complaints about a school must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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

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

Note: The headteacher 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
- keep a written record of any meetings/interviews in relation to their investigation.

At the end of their investigation, the headteacher will provide a formal written response within ten school days of the date of receipt of the complaint.

If the headteacher 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 Liverpool Diocesan Schools Trust will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, the CEO will complete all the actions at Stage 1. Complaints should be addressed to the CEO at the registered address of the Trust.

Complaints about the CEO or member(s) of the Board of Directors of Directors/Local Governing board must be made to the Chair of Directors, via the Clerk to the Board of Directors at the registered address of the Trust.

If the complaint is:

- jointly about the Chair and Vice Chair of Directors or
- about the entire or majority of the Board of Directors of Directors

Directors will appoint an independent investigator to consider the complaint. At the end of their investigation, the independent investigator will provide a formal written response to the Board of Directors.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2, where their complaint will be heard before a Complaints Committee. A request to escalate to Stage 2 must be made to the Clerk of the Board of Directors within ten school days of receipt of the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five school days. The Clerk will aim to convene a meeting within twenty 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. They will write to the complainant to inform them of the date of the meeting. If the complainant rejects the offer of three proposed dates, without good reason, the complaints committee may decide to hold the meeting in their absence and make a decision based on the written information that has been submitted to them.

The Education (Independent School Standards) Regulations 2014 Part 7 stipulate that any appeal must be heard before a panel, comprising of at least three people (as specified in the Scheme of Delegation), one of whom is i**ndependent of the management and running of the school.** If there are no Directors able to hear the complaint impartially, an entirely independent committee may be convened to hear the complaint at Stage 2. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.

The stage 2 hearing

Prior to the hearing

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

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that the date is 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 seven school days before the meeting.
- Any written material will be circulated to all parties at least five 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 stage 2 hearing

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 complainant may bring someone along to provide support for them at the meeting. 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. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Representatives from the media are not permitted to attend.

The committee will 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.

If the committee has grounds for concern about the possible conduct of the complainant the committee may decide to deal with the complaint by inviting both parties to present their information to them separately.

The committee will consider the complaint and all the evidence presented. The committee can:

- 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.

If the complaint is:

- jointly about the Chair and Vice Chair of the Board of Directors or
- the entire/majority of the Board of Directors

Stage 2 will be heard by a committee of independent people, co-opted on to the Board of Directors for this purpose only.

Where complaints against a Governor of a local governing board are upheld at either Stage 1 or Stage 2, the Trust may consider removing the Governor from the local governing board.

Where complaints against a Director are upheld at either Stage 1 or Stage 2 the Trust may consider suspending¹ the Director or request that Members consider removing the Director from the board.

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 Liverpool Diocesan Schools Trust will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

The Chair of the panel will have been nominated in advance of the meeting.

Both parties are invited to join the meeting, unless a decision has been made to invite parties to present their information to them separately (see page 8).

1. Introductions

2. The complainant is invited to present their case and any supporting documents to the panel. If appropriate, the complainant's witnesses will be heard at this point.

3. The CEO/Headteacher will be entitled to question the complainant and any witnesses.

4. The CEO/Headteacher will present the report on the investigation to the Committee, together with any supporting documents, including details of any actions taken to resolve the complaint. If appropriate, witnesses will be heard at this point.

5. The complainant will be entitled to question the CEO/Headteacher and any witnesses.

6. The complainant is then invited to sum up their complaint.

7. The CEO/Headteacher is then invited to sum up the Trust's/school's response to the complaint.

8. The Chair explains the arrangements for notifying both parties of the outcome of the meeting.

9. Both parties then leave the meeting to allow the panel to reach a decision.

Note:

- The Committee members may ask questions at any point.
- Any reasonable request for an adjournment should be allowed at the discretion of the Chair.

Stage 2 After the hearing

Within ten school days, the Chair of the Committee will provide the complainant and the CEO/Headteacher with a full explanation of their decision and the reason(s) for it, in writing,.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the LDST

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education Funding and Skills Agency (ESFA) after they have completed Stage 2. Further information about how the ESFA handles complaints about academies can be found here.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by LDST. They will consider whether Liverpool Diocesan Schools Trust has adhered to education legislation and any statutory policies connected with the complaint.

The complainant should refer their complaint to the ESFA online following this link or write to

Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

¹ If permitted in the Articles of Association

Appendices 1: Complaint Form

Please complete and return to either the Headteacher/CEO/Chair of Directors or Clerk, as appropriate, who will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name	e (if relevant):
Your relation	nship to the pupil (if relevant):
Address:	
Postcode:	
Daytime number:	telephone
Evening number:	telephone

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature
Date:
Official use
Date acknowledgement sent:
By who:
By wild:
Complaint referred to:
Date:

Appendices 2 – Stage 2 Agenda

Name of School	
Name of Complainant	
Date	
Time	
Location	

Name of Participant	Position	Purpose
		Panel member 1 (Chair)
		Panel member 2
		Panel member 3
		Complainant
		Complainants Companion
		School Representative

Item Number	Item	Responsible
1	Introduction and meeting procedure	Chair
2	Summary of complaint	Complainant
3	Questions to the Complainant	Panel
4	Representations from the Headteacher/CEO	HeadTeacher/CEO
5	Questions to the Headteacher/CEO	Panel
6	Summing up from the Complainant	Complainant
7	Summing up from the Headteacher/CEO	Headteacher/CEO
8	Withdrawal of Complainant, School Representative and Complainants Companion	Chair
9	Consideration of case by Panel	Panel
10	Return of Complainant, School Representative and Complainants Companion	Chair
11	Decision of the Panel	Chair

Item Number	Supporting Documentation Provided with Agenda
1	
2	
3	
4	

Appendices 3: Roles and Responsibilities

Complainant

The complainant will receive a more effective 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 information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicizing the details of their complaint on social media and respect confidentiality.

Investigator (if this role has been delegated)

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

The investigator should:

- 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 CEO/Headteacher that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The CEO/Headteacher will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Board

The Clerk is the contact point for the complainant at Stage 2 of the procedure and the clerk should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- ensure that an independent person has been appointed by the Trust to serve on the panel
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity of any issues verbally in the meeting.
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted

Committee Member

Committee members should be aware that:

• the meeting must be independent and impartial, and should be seen to be so

No Director/Governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

• the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

• many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

• extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

• the welfare of the child/young person is paramount.

Appendices 4: Managing serial and unreasonable complaints

LDST 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 our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

LDST defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or CEO will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. The Trust will resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious or malicious or where the headteacher or CEO is satisfied with the action that the school has already taken or proposes to take to resolve the complaint.

For complainants who excessively contact LDST causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 an LDST school.