



THE TRUE LEARNING PARTNERSHIP COMPLAINTS POLICY January 2021

1. Introduction

The TRUE Learning Partnership (TTLP) is a community based, values focused, learning organisation that meets the needs of all its members so that all will achieve. We aim to serve our communities with an unswerving commitment to ensure every student achieves their goals, whatever their circumstances. Where concerns are raised we intend to deal with them fairly, promptly and without prejudice.

The aim of this policy is to ensure that any complaint is handled by TTLP sympathetically, at the appropriate level and is resolved quickly and efficiently.

TTLP's Complaints Policy will ensure a full and fair investigation; be impartial and accessible; address all points and provide an effective response and redress where necessary; and provide feedback so that services can be improved.

It is anticipated that the large majority of complaints will be resolved at the informal stage and without the need for formal procedures (see page 4).

This policy applies to each school in TTLP.

2. Complaints Policy and Procedure

The TRUE Learning Partnership's Complaints policy has been approved by The Trust Board and complies with the Education Regulations 2014 (Part 7).

The Policy covers all complaints against The TRUE Learning Partnership by external persons/parties which do not have an alternative statutory avenue of appeal or complaint. Complaints about third

party providers offering community facilities or services through their school premises should be made directly to the third-party provider.

Employees of TTLP (and ex-employees who wish to raise an issue relating to their former employment) cannot use this procedure but, where necessary, should raise concerns via the appropriate staffing procedure.

Separate policies and/or procedures apply in respect of;

- Fixed term or permanent exclusions of students (details of appeal are included in the Official Exclusion Notice)
- Learners with Special Educational Needs or Disability (SEND). See school SENCO or a senior member of staff
- Admissions (Admissions Policy/Statement)
- Whistleblowing (Whistleblowing Policy)
- Complaints relating to examinations/ assessment (Examinations Policy)
- Subject Access Requests and Freedom of Information Requests (GDPR Policy)
- Staff Grievances (Grievance Policy)
- Vexatious Complaints (Vexatious or Persistent Complaints Policy)

Where a complaint indicates that a child's well-being or safety is at risk, the School/Trust is under a duty to refer immediately to the School's Safeguarding and Child Protection Policy. Intervention of parallel investigations by the police or local authority may cause variations to the timescales stated within this policy. Any such variation will be notified to the complainant as required.

3. General Principles

3.1 All complaints should be dealt with in a transparent way and as quickly as is reasonably practicable.

3.2 Throughout the process, all complainants will be treated with courtesy, respect and fairness at all times. We expect that complainants will also treat school staff dealing with your complaint with the same courtesy, respect and fairness.

3.3 In order for a complaint to qualify under TTLP's Complaints Policy the complainant must submit their complaint to the school in writing. Email submissions are acceptable under this policy. Verbally submitted complaints are not accepted under this policy.

3.4 The Trust operates a 6-month time frame in which a complaint can be lodged. This means 6 months from when the incident / complaint occurred (or if it is a series of events, when the last incident occurred) to contacting the school / Trust about it.

3.5 The School reserves the right not to review complaints considered at the sole discretion of the Headteacher or Chair of Governors to be unreasonable.

3.6 Complainants should be kept informed during the investigation of their complaint and of the outcome, except where this is confidential, e.g. in the case of a staff disciplinary process.

- 3.7 If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issues, the details of the action will remain confidential to the Headteacher and the CEO. The complainant is not entitled to participate in the proceedings or receive any details about them.
- 3.8 Any complaint will be kept confidential unless it is necessary to involve other parties, or where disclosure may be required in the course of an investigation or inspection, or where other legal obligation prevails.
- 3.9 Every effort should be made to resolve complaints in a non-confrontational and informally.
- 3.10 The timescales within this procedure should be adhered to as far as is reasonably practicable. Where this is not possible the complainant should be informed, within the specified timescale, as to why this is the case, and given a revised timescale for dealing with the complaint.
- 3.11 In order for complaints to be resolved as quickly and fairly as possible, TTLP requests that complainants do not discuss complaints publicly via social media. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality too.
- 3.12 A written record will be kept of all complaints, both informal and formal, and of whether they are resolved at the preliminary stage or proceed to a panel hearing. Documentation will be stored in line with TTLP's GDPR Policy and retention schedule.
- 3.13 The school does not normally accept electronic recordings (audio or visual) from a complainant when asked to consider a complaint. The school will not accept recordings of conversations that were obtained covertly and without informed consent of all parties being recorded.

4. Resolving Complaints

- 4.1 At each stage in the procedure schools will want to consider the ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to 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 and/or TTLP policies in light of the complaint.
- 4.2 At each stage complainants should be asked to state what actions they feel might resolve the issue. An admission that the school/Trust could have handled the situation better is not the same as an admission of negligence or liability.

4.3 If it is concluded that an apology is required, the Headteacher or a representative of the Local Governing Body will issue this on behalf of the school/Trust and its employees.

5. **Stages of the Procedure**

Raising concerns

Many concerns and minor complaints can be resolved quickly through the informal stages. There are numerous occasions where issues are resolved immediately through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances every effort should be made by the school to have a full discussion with the complainant before moving to the formal stages of this procedure.

Where the complainant that the school/Trust has failed to address a concern that has been raised, or where the outcome has been that the matter requires further investigation, they may progress by making a formal complaint (Stage 3). We will aim to respond to a complaint and each stage of the procedure within 10 working days.

1. **STAGE 1 – Informal** - directly with the member of staff.
Usually, it will be helpful to talk with the member of staff concerned and complainants could give a telephone number and time for the member of staff to call. (If appropriate, please ask your son/daughter for the times of breaks or lunch or suggest a time after school for the member of staff to call you).
2. **STAGE 2 – Informal** - If the matter cannot be resolved in this way (with the member of staff) or if the complainant feels the matter is so serious that the first contact should be with a more senior member of staff, i.e. a Key Stage or Pastoral Lead, subject or senior leader. If this fails to resolve the matter, complainants should move to....
3. **STAGE 3 - Formal** – if the matter has not been resolved at stage 2, complainants should put their complaint in writing within 10 working days of the stage 2 meeting to the Headteacher and then telephone the school and ask for an appointment with the Headteacher. In the event that the Headteacher cannot resolve the problem, complainants should move to....
4. **STAGE 4 – Formal** - put their complaint in writing within 10 working days of the stage 3 meeting to the Chief Executive Officer and then email the PA to TTLP requesting an appointment with the Chief Executive Officer. They can be contacted at the following email address NWinterbottom@truelearning.org.uk In the event that the Chief Executive Officer cannot resolve the problem, complainants should move to
5. **STAGE 5 – Formal** - write to the Chair of Governors, c/o the school concerned. The Chair will then arrange to meet with the complainant, if the meeting with the Chair of Governors does not resolve the matter, the complainant should move to.....

6. **STAGE 6 – Appeal** - the complainant has the right to **appeal to an Independent Complaints Panel** set up by TTLP. This panel will comprise of at least three people not directly involved in the matters detailed in the complaint, one of which is independent of the management and running of the school or Trust. The complainant shall be allowed to attend the panel and be accompanied if they so wish.

The panel's decision is final.

The findings and any recommendations of the panel will be put in writing and shared with both parties within 5 working days of the panel hearing. These are also available for inspection in the school / Trust by the proprietor and Headteacher.

Contact and correspondence with this Independent Complaints Panel must be made in writing. Please address all correspondence to: The True Learning Partnership, Independent Complaints Panel, c/o PA to TTLP, Poynton High School, Yew Tree Lane, Poynton, Stockport, SK12 1PU. The panel will be convened within 4 weeks of receipt of the complainants' correspondence advising that they wish for the Independent Complaints Panel to meet to discuss their complaint.

For all complaints which get to the formal stages, the school/Trust will keep a written record. This will include how/if the complaint was resolved, and any actions taken by the school/Trust following the complaint. All records of formal complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act request access to them.

NEXT STEPS:

If the complainant believes the school/Trust 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 ESFA after they have completed Stage 6.

The ESFA will not reinvestigate the substance of complaints or overturn any decisions made by the Trust/the school. They will consider whether the Trust/the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the ESFA online at www.education.gov.uk/contactus by telephone on: 0370 000 2288 or by writing to:
Academy Complaints and Customer Insight Unit,
Education and Skills Funding Agency,
Cheylesmore House,
5 Quinton Road,
Coventry,
CV1 2WT

In summary the complaints procedure is:

1. Contact with the relevant member of staff - **informal**
2. Contact senior member of staff i.e., Key Stage lead, Pastoral Lead, Subject or Senior Leader – **informal**
3. Letter to and appointment with Headteacher/Head of School – **formal**
4. Letter to and appointment with Chief Executive Officer – **formal**
5. Letter to and appointment with the Chair/Vice Chair of Governing Body – **formal**
6. Write to the Independent Complaints Panel c/o TTLP - **appeal**

Step 6 is the end of the procedure.

If your complaint is about the Headteacher, please go straight to stage 4. If your complaint is about the Chief Executive Officer please put it in writing and contact the PA to TTLP, at NWinterbottom@truelearning.org.uk who will arrange a meeting with the Chair of TTLP.

This procedure works alongside the Vexatious or Persistent Complainants Policy.

This procedure will be reviewed in the light of operation experience and / or changes in legislation