



# **DAYSPRING TRUST**

# **COMPLAINTS POLICY**

# **2021**

Reviewed by: Board of Directors

Date of review: September 2021 (*updated April 2022*)

Date of next review: September 2022

The Dayspring Trust aims to serve its community by providing an education of the highest quality within the context of Christian faith and practice. It encourages an understanding of the meaning and significance of faith, and promotes Christian values through the experience it offers to all its pupils. We believe that our Christian values spring from the two great commandments, 'Love God and love your neighbour'. We seek to live this out through the power of the Holy Spirit. St Paul reminds us in Galatians 5.22-23 that the fruit of the Spirit is "Love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control". These are also underpinned by the Old Testament injunction to "Do justly, love mercy and walk humbly with our God" Micah 6.8. These values rooted in the Christian Faith come as a package and we aim to embed them in the life of our academies in a worked out way. We recognise that at times we may highlight particular values to bring them into greater prominence within our academies and these are currently the five values of Forgiveness, Hope, Joy, Perseverance and Wisdom. We believe these values to be in accordance with British values springing from our Judeo-Christian roots. Collective worship will play a major and vital part in assisting with this process of embedding these values in the life of our academies.

The Multi Academy Trust Members and Directors are aware of their responsibilities in law and are committed to the provision of an excellent education within its academies in accordance with our Anglican foundation. This is embraced in our Dayspring Trust vision statement:

- **Forge a supportive and challenging family of academies**
- **Provide excellent education within a strong Christian community**
- **Resource our pupils for wise and generous living**

In addition, each academy also has its own distinctive mission statement, flowing out from the vision statement of the Dayspring Trust.

#### **At Ian Ramsey CE Academy:**

"Together to learn, to grow, to serve."

This is embodied in scripture:

*'Each of you should use whatever gifts you have received to serve others, as faithful stewards of God's grace in its various forms.'* 1. Peter 4.10

#### **At Venerable Bede CE Academy:**

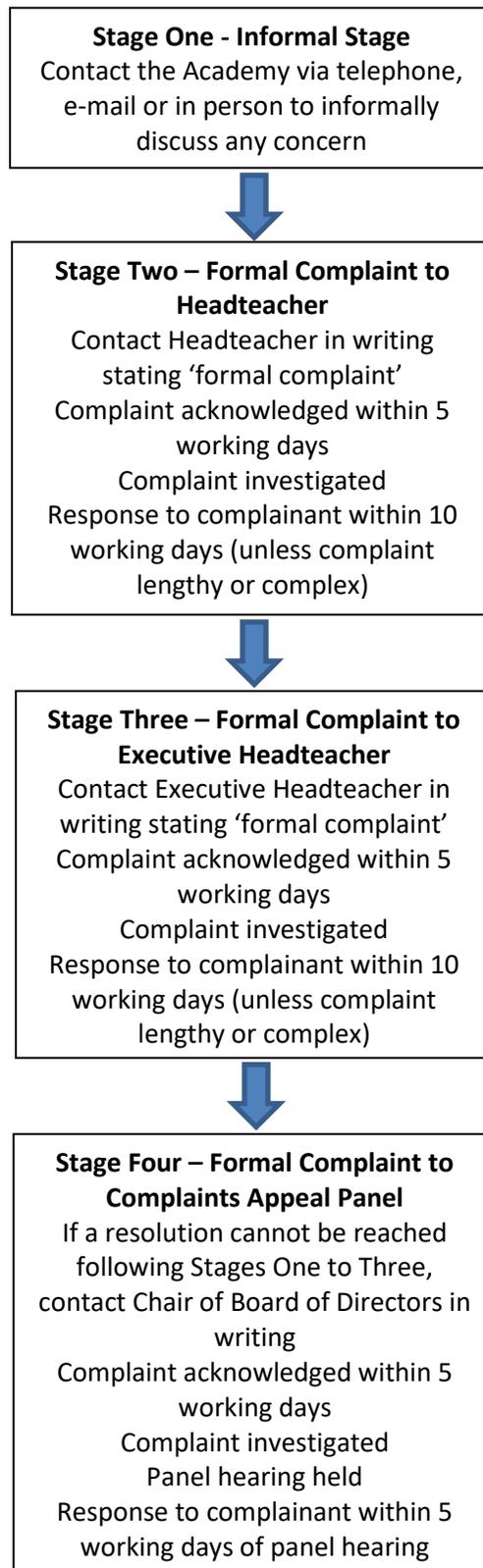
"Soar to the heights together"

This is embodied in scripture:

*'But those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint.'* Isaiah 40:31

This policy has been developed to take into consideration our ethos as well as local and national policy and guidance.

# Complaints Policy – Flowchart



If you are not satisfied that your Stage Four complaint has been dealt with appropriately, you may wish to contact the Education and Skills Funding Agency (ESFA)

The flowchart above outlines the different stages of the complaints policy. Each stage is explained fully in the following pages.

## **Introduction**

This policy has been prepared in accordance with section 29 (1) of the Education Act 2002 which requires all educational establishments to have a publicised complaints policy.

Most parents/carers and other stakeholders have a positive relationship with the Trust and our individual academies, but we understand that there may be occasions when concerns are raised. All staff are expected to adhere to the Trust's Code of Conduct. We have an open door policy and we are committed to taking concerns seriously, therefore we encourage our parents/carers and other stakeholders to share any concern with us on an informal basis initially. We request that complaints are raised no later than three months after an issue has arisen to enable a timely response/resolution. The Trust will however, under exceptional circumstances, consider complaints outside of this period of time and the complainant will be notified whether their complaint will be heard.

All formal complaints are logged and held centrally with details of the outcome of any investigation.

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

Following on from a complaint being investigated, and regardless of whether the complaint is upheld, the school will always consider whether lessons can be learned from the situation and whether the school could take any action(s) to prevent a similar situation occurring in the future.

The main aim of this Complaints Policy is to resolve any complaint as fairly and speedily as possible. It is in everyone's interests that issues are resolved as quickly as possible. The academy will ask the complainant at the earliest stage what they think may resolve the issue and when responding will communicate the outcome of each stage of the complaints process.

Formal complaints will be dealt with in a sensitive, impartial and confidential manner

Complaints may be made in the following manner:

- in person, by telephone or in writing
- by a third party acting on behalf of the complainant

## **Complaints Outside Of This Policy**

Some complaints fall outside of the academy's complaints procedure, for example:

Exclusions

- Staff grievances
- Disciplinary procedures
- Pupil suspensions

The following procedure is available to anyone within the Trust or local community to use.

## **Procedures**

Brief notes will be taken of the complaint to prevent any later challenge or disagreement over what has been said and the notes will be kept securely and encrypted where appropriate.

A copy of any written response will be added to the complainant record.

It is not academy policy to allow the recording via a mobile device of a meeting with a complainant.

Where the complainant requests that the meeting is clerked, this can be arranged with prior notice.

## **Serial and Persistent Complaints**

The academy will take every reasonable step to address a complainant's concerns. A clear statement of the academy's position will be given to the complainant and what options are available to them. There may be occasions however when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant contacts the academy repeatedly, making substantially the same point each time, this will be viewed as 'serial' or 'persistent'. If this is the case the complainant will be informed that the matter has been closed and the academy will not respond further.

Where complaints are deemed after investigation to be either malicious or unnecessarily time wasting, they may be referred by the Headteacher to the Executive Headteacher and/or the Board of Directors and further action will be considered. If an individual persists to the point that may constitute harassment, the academy will seek legal advice.

## **Complainants Who Behave in an Unacceptable Way**

Although fulfilling a public function, schools and academies are private places and the public has no automatic right of entry. We will therefore act to ensure our academies remain a safe place for pupils, staff and other members of the community. If a parent/carer's behaviour is a cause for concern, they may be asked to leave the premises. In serious cases, the Headteacher can notify such parents/carers that their implied licence to be on academy premises has been temporarily revoked subject to any representations that the parent/carer may wish to make. (For further information, see the government guidance on <https://www.gov.uk/government/publications/controlling-access-to-school-premises/controlling-access-to-school-premises>)

We will give the parent/carer the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the parent/carer, and either confirmed or lifted. If the decision is confirmed the parent/carer will be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter addressed to the Chair of the Board of Directors.

## **Stage 1 – Informal Discussion with the Academy**

It is always useful to talk through your complaint informally with the relevant person so that any concerns may be addressed.

Contact should be made in the first instance to the Academy either by telephone, e-mail or in person to informally discuss any concern. The Academy will suggest the most appropriate person to speak to at this point and may request that you make an appointment, as this will ensure we can listen to your concerns fully and allocate an appropriate amount of time. Where the concern or complaint relates to a young person with special educational needs, initial contact should be made to the SENDCO.

## **Stage 2 – Formal Complaint to the Headteacher**

If you feel that your complaint has not been resolved by following Stage One, or if you feel that your complaint is too serious for the informal stage, you should confirm your complaint by letter to the Headteacher stating that you are making a formal complaint. Your complaint will be acknowledged in writing within 5 working days of its receipt. Copies of the complaint should not be sent to other parties, for example other members of staff or Directors as this may cause a conflict of interest.

The Headteacher will then investigate the complaint either directly or by appointing the most appropriate senior member of staff to investigate on their behalf to then report back to them. The Headteacher will respond to the complainant in person (via appointment) or via letter, with the outcome of all investigations within 10 working days

of the initial complaint being made. (Where a complaint is lengthy or complex, a longer time-scale may be necessary but complainants will receive updates within the above timescales.)

If the complaint is about the Headteacher, stage 3 of the procedure should be followed.

### **Stage 3 – Formal Complaint to the Executive Headteacher**

If you feel that your complaint has not been resolved by following Stage Two, or if your complaint is about the Headteacher of the academy, you should confirm your complaint by letter to the Executive Headteacher (or Chair of the Board of Directors if the complaint is about the Executive Headteacher) stating that you are making a formal complaint. Your complaint will be acknowledged in writing within 5 working days of its receipt.

The Executive Headteacher will then investigate the complaint either directly or by appointing the most appropriate senior member of staff to investigate on their behalf to then report back to them. The Executive Headteacher will respond to the complainant in person (via appointment) or via letter, with the outcome of all investigations within 10 working days of the initial complaint being made. (Where a complaint is lengthy or complex, a longer time-scale may be necessary but complainants will receive updates within the above timescales.)

### **Stage 4 – Complaint to the Board of Directors Complaints Appeal Panel**

If a resolution cannot be reached after having followed the different stages of the complaints procedure, the next step would be to make a formal complaint to the Board of Directors Complaints Appeal Panel. The Complaints Appeal Panel is independent and impartial and will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom will be independent of the management of the running of the Academy (ie not a Director or a member of staff).

If your complaint progresses to the final stage, you should contact the Chair of the Board of Directors in writing, accompanied by a copy of your original letter of formal complaint. Parents/Carers may attend the panel hearing and be accompanied by a friend or other representative if they so wish.

If you feel that a complaint should be escalated to Stage Four, letters should be sent to:

**Chair of the Board of Directors**

**c/o Governor Support Services, Together For Children**

**At :-**

**Ian Ramsey Church of England Academy, Fairfield Road, Stockton On Tees TS19 7AJ**

**OR**

**The Venerable Bede Church of England Academy, Tunstall Bank, Ryhope, Sunderland,  
SR2 0SX**

Alternatively, you can send a letter via the Academy.

Your request for a Stage Four panel hearing will be acknowledged within 5 working days of receipt and you will be advised of a date for the hearing within a reasonable timescale together with information on the panel process.

The procedure to be followed at the hearing will be as follows:-

- Introductions to be made and the procedure to be followed will be explained to all present by the Chair of the Appeals Panel;
- The Executive Headteacher will summarise the actions taken in dealing with the complaint;
- The Appeals Panel will be given the opportunity to question the Executive Headteacher about the process undertaken;
- The complainant will then be given the opportunity to summarise the complaint and explain the grounds of their appeal;
- The Appeals Panel will then be given the opportunity to question the parent/carer;
- Both parties will be given the opportunity to sum up provided no new information is introduced, with the complainant making the final submission;
- The Executive Headteacher and parent/carer are then requested to leave the meeting whilst the Appeals Panel consider their decision.

Following a panel hearing, complainants will be provided with a written response (within 5 working days) where appropriate and also if this has been specifically requested.

On hearing a complaint, the panel can decide to:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

The Board of Directors Complaints Appeal Panel is the final stage in the Academy's complaints process.

Finally, if you are not satisfied that your Stage Four complaint has been dealt with appropriately, you may wish to contact the Education Funding Agency (ESFA) at [www.education.gov.uk](http://www.education.gov.uk) via their schools complaints form or by post to: Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

Details of this policy will be included on the Academy's website.