



Supportive, Cooperative, Adventurous

Equality and Diversity

Campfire Education Trust is committed to promoting equality of opportunity for all staff and job applicants. The Trust aims to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. We do not discriminate against staff based on age; race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which staff and Governors treat visitors, volunteers, contractors and former staff members.

Data Protection

Campfire Education Trust will process personal data of staff (which may be held on paper, electronically, or otherwise). Campfire Education Trust recognises the need to treat it in an appropriate and lawful manner, in accordance with the Data Protection Act 2018 (DPA).

Ratified	Version	Date
REWRITTEN	1	JULY 2019
Adopted by Board of Trustees	1	September 2019
LGB		
Next Review Date:		September 2021

Complaints procedure
Campfire Education Trust

Contents

1. Aims.....	3
2. Legislation and guidance.....	4
3. Definitions and scope.....	4
4. Principles for investigation.....	5
5. Stages of complaint (not complaints against the CEO, the headteacher or governors)	5
6. Complaints against the CEO, a headteacher, a governor or the governing board.....	7
7. Referring complaints on completion of the school’s procedure	7
8. Persistent complaints.....	7
9. Record-keeping	8
10. Learning lessons	9
11. Monitoring arrangements.....	9
Appendix One - Complaint form	10

1. Aims

Our Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be 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 parent or person complaining desire for confidentiality
- Treat parent or person complaining with respect
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep parent or person complaining informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the parent or person complaining the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. 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 policy complies with our funding agreement and articles of association.

In addition, 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.

3. Definitions and scope

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”.

The school 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”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when a parent or person complaining would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher and Special Educational Needs Co-ordinator (SENCO); they will then be referred to this complaints policy. Individual School SEN policies includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the parent or person complaining feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the parent or person complaining will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the parent or person complaining of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school 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 contact 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.

5. Stages of complaint (not for complaints against the CEO, the Headteacher or Governors)

Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The parent or person complaining should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email. If you are not satisfied that the complaint has been dealt with then complete the form at Appendix One. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. If you are unclear who to contact or how to contact them, you should contact the school office.

The school will acknowledge informal complaints within **5 working days**, and investigate and provide a response within **15 working days**.

The informal stage will involve a meeting between the parent or person complaining and the subject of the complaint with a senior leader present

If the complaint is not resolved informally, it will be escalated to a formal complaint within **15 working days** of the completion of the informal stage.

Stage 2: formal

The formal stage involves the parent or person complaining putting the complaint to the headteacher and/or the subject of the complaint:

- In a letter or email adding any new information not on the complaints form

As the parent or person complaining you should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. You should also state what they feel would resolve the complaint.

If you need assistance raising a formal complaint, the school will be happy to provide the assistance of someone unconnected with the complaint. If you are unclear who to contact or how to contact them, you should contact the school office.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the parent or person complaining within **15 working days**.

If the parent or person complaining is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within **15 working days** from the end of stage two.

Stage 3: review panel

Complaints will be escalated to the panel hearing stage if the parent or person complaining is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Trust must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be a Trustee, independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 9).

The parent or person complaining must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the parent or person complaining. At the review panel meeting, the parent or person complaining and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The parent or person complaining must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the parent or person complaining and the school representative(s) will be given the chance to ask and reply to questions. Once the parent or person complaining and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the parent or person complaining and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and headteacher.

The school will inform those involved of the decision in writing within **15 working days**.

6. Complaints against the CEO, a headteacher, a governor or the governing board

Complaints made against the Headteacher should be directed in writing (as per Stage 2: Formal) to the CEO who will initiate an investigation if it cannot be dealt with at an informal stage.

Complaints against the CEO should be directed in writing (as per Stage 2: Formal) to the Chair of the Trust who will initiate an investigation if it cannot be dealt with at an informal stage.

Where a complaint is against the Chair of Governors, any member of the governing board, or the entire governing board, it should be made in writing (as per Stage 2: Formal) to the clerk to the governing board in the first instance. The complaint will then be passed to the Chair of Trustees who will initiate an investigation if it cannot be dealt with at an informal stage.

Should the complaint need to go to Stage 3 a review panel would consist of Trustees not involved in any of the complaint proceedings.

7. Referring complaints on completion of the school's procedure

If the parent or person complaining is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

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

8. Persistent complaints

Where a parent or person complaining tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the parent or person complaining that the matter is closed.

If the parent or person complaining subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the parent or person complaining's needs, *and*
- The parent or person complaining has been given a clear statement of the school's position and their options (if any), *and*

- The parent or person complaining is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the parent or person complaining will be informed in writing, either by letter or email.

The school will ensure when making this decision that parent or person complaining making any new complaint are heard, and that the school acts reasonably.

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from a parent or person complaining unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the parent or person complaining

If a parent or person complaining are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

9. Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the parent or person complaining requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely managed by Head Teacher, only for as long as necessary and in line with data protection law and our privacy notices

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

A parent or person complaining also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

10. Learning lessons

The Trust will review any underlying issues raised by complaints with the Head Teacher, senior leadership team and staff member], where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

11. Monitoring arrangements

The Governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trust board will track the number and nature of complaints, and review underlying issues as stated in section 10.

Appendix One - Complaint form

Please complete and return to(Head Teacher) who will acknowledge receipt and explain what action will be taken.

<p>Your name:</p> <p>Pupil's name:</p> <p>Your relationship to the pupil:</p> <p>Address:</p> <p>Postcode:</p> <p>Day time telephone number:</p> <p>Evening telephone number:</p> <p>Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated</p> <p>What action, if any, have you already taken to try and resolve your complaint.</p> <p>(Who did you speak to/write to and what was the response)</p>
<p>What actions do you feel might resolve the problem at this stage?</p> <p>Are you attaching any paperwork? If so, please give details.</p> <p>Signature:</p> <p>Date:</p> <p>Official use</p> <p>Date acknowledgement sent:</p> <p>By whom:</p> <p>Complaint referred to:</p> <p>Date:</p>