

**The Heath Family (NW) Multi Academy Trust  
Complaints Procedure**

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# The Heath Family (NW) Multi Academy Trust

## Complaints Procedure

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### Introduction

The Heath Family (NW) Multi Academy Trust is committed to providing a quality service and achieving high standards. We are always willing to listen to concerns and be ready to learn from them if appropriate. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the Trust/School, so that any issues that arise can be dealt with as swiftly and effectively as possible.

In a school most concerns are likely to be expressed by parents of our students, though some may come from students themselves or from other interested parties such as neighbours or users of the premises.

We aim therefore to ensure that:-

- Making a complaint is an easy process.
- We treat as a complaint any clear expression of dissatisfaction (with our service), which calls for a response.
- We treat it seriously whether it is made in person, by telephone, by letter, by fax or by e-mail.
- We deal with it promptly, politely and where appropriately informally (for example by phone).
- We respond in the right way (for example with an explanation, or an apology where we may have got things wrong, or information on any action taken etc).
- We learn from complaints, use them to improve our service and publish information on complaints in our governor's report.

**All school staff will be made aware of complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.**

### About this Policy

**This Policy has been developed after consulting:**

- Education (Independent School Standards) (England) Regulations 2010 Schedule 1, Part 7;
- DfE's Academies Compliance – "Putting in Place a Complaint's Procedure";
- DfE's Best Practice Advice for School Complaints Procedures 2016
- NAHT (London) Model Procedure for Managing Complaints;
- Optimus Education Model Complaints Procedure
- 'A model general complaints procedure' (RISE);

# The Heath Family (NW) Multi Academy Trust

## Complaints Procedure

This policy explains our complaints procedures, and the steps that it outlines, should be referred to and followed by all complainants whenever an issue arises that causes them concern.

An anonymous complaint will not be investigated under this complaint procedure unless there are exceptional circumstances.

After defining the key principles, this Policy sets out the 5 separate stages of the complaints procedure itself. Appendix 1 summarises the key roles and responsibilities of the Complaints Panel. Appendix 2 summarises the process in the form of a flowchart.

### 1 The Key Principles of the Policy

#### 1.1 Legal Context

On 1<sup>st</sup> June 2011 The Heath School became an Academy under the Academies Act 2010. On 17<sup>th</sup> December 2012 The Heath School changed its name to The Heath Family (North West) (“THF(NW)”) and on 31<sup>st</sup> December 2012 THF(NW) became a Multi Academy Trust which includes The Heath School and other Academies. The Heath Family (NW) Multi Academy Trust Academies are therefore Academies outside the control of the local authority, maintained directly by the Education Funding Agency. It is governed by The Education (Independent School Standards) (England) Regulations 2010 and in particular Schedule 1, Part 7, paragraph 25 “Manner in which Complaints are to be handled”, a copy of which is attached to this Policy at Appendix 4.

#### 1.2 Summary of Procedure

This Policy sets out procedures which the Heath Family (NW) Multi Academy Trust will follow whenever it receives a complaint for which there is not an alternative statutory procedure laid down (see section 1.3).

A summary of the various stages is given below:

|                                       |                      | <b>Primary<br/>Responsibility</b> |
|---------------------------------------|----------------------|-----------------------------------|
| 1. Informal discussion and resolution | Informal<br>Stage    | <b>School Staff</b>               |
| 2. Investigation by Principal         | Formal<br>Stage<br>↓ | <b>School Staff</b>               |
| 3. Complaints committee review        |                      | <b>Governing Body<br/>Other</b>   |
| 4. Further recourse                   |                      |                                   |

Each of these stages will usually occur in order and there will usually be no return to previous stages (Exceptions to this are noted within the procedure).

It is stressed that the majority of complaints are resolved on an informal basis (stage 1).

**The Heath Family (NW) Multi Academy Trust  
Complaints Procedure**

**1.3 Exceptions for which this procedure should not be used**

| Exceptions   | Who to contact   |
|--|--|
| <p>Admissions to schools<br/>Statutory assessments of Special Educational Needs (SEN)<br/>School re-organisation proposals</p> | <p>Concerns should be raised direct with the Local Authority (LA)</p>  |
| <p>Matters likely to require a Child Protection Investigation</p>  | <p>If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is a cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.</p> <p>For more information on The Heath Family (NW) Multi Academy Trust’s provision for protecting our students/children, read our Safeguarding and Child Protection Policy.</p> |
| <p>Exclusion of children from school</p>   | <p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a></p>  |
| <p>Whistleblowing</p>  | <p>The Heath Family (NW) Multi Academy Trust has an internal Whistleblowing Policy for our employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD</p> <p>The Department for Education (DfE) is also a prescribed body for whistleblowing in education.</p>   |
| <p>Staff Grievances and Disciplinary Procedures</p>  | <p>These matters will invoke the Trust’s internal grievance / disciplinary procedures. Complainants will not be informed of the outcome of any investigation.</p> <p>NB: There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints procedure on hold. If and when this occurs the complainant will be informed. Any non-disciplinary aspects of the complaint will continue to be dealt with through the usual complaints procedure.</p>   |

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

### **1.4 Circumstances under which stages of the procedure should be missed out**

This Policy sets out the most suitable and effective process for dealing with the majority of complaints, which are not covered by alternative statutory procedures (see above). In most cases any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally (stage 1) before being submitted at any of the following consecutive formal stages.

However, occasionally there will be circumstances under which it is unsuitable for complaints to be dealt with in this way.

In any case where the complaint concerns the school's Principal directly, stage 2 will be missed out and the formal complaints procedure will begin at stage 3.

In some cases, it may be deemed inappropriate for individuals to discuss their concerns informally. In such cases, complainants may be directed to contact the Principal directly (i.e. begin at stage 2). Complainants may choose to contact the Principal directly of their own accord. In these cases it will be at the discretion of the Principal as to whether or not it is appropriate for the complainant to discuss the matter informally (i.e. return to stage 1).

### **1.5 Who may complain?**

This procedure may be used by anyone who has a concern about any aspect of the school except as excluded above. In the main this will mean the parents and carers of the school's students/children, but may include neighbours of the school, or any other members of the local community.

#### **Who to speak to?**

Individuals may decide to raise their concerns informally with a class teacher, a member of school administration staff, senior teacher, the Principal or a Governor depending on their wishes and the type of issues they want to discuss.

Please note: If the complaint is about a member of staff your concern will be raised with the Principal.

If the complaint is about the Principal, you will need to raise your concern with the Chair of Governors.

If the complaint is about a Governor, you will need to raise your concern with the Clerk to the Governing Body.

For contact details please see page 19.

### **1.6 Aims and Objectives of the Policy:**

This Complaints Procedure aims to:

- Encourage the resolution of problems by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits.
- Provide effective responses and appropriate action.

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

- Maintain good working relationships between all people involved with the school.
- Provide a vehicle for improvement within the school.

### **1.7 Recording Complaints**

At all formal stages of the complaints procedure, the following information will be recorded:

- The name of the complainant
- The date and time at which the complaint was made
- The details of the complaint
- The desired outcome of the complainant
- How the complaint is investigated (including written records of interview held)
- Results and conclusions of investigations
- Any action taken
- The complainant's response (satisfaction or further pursuit of complaint)

Where there are communication difficulties, schools may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point – DfE.

Schools will record the progress of the complaint and the final outcome. The Principal is responsible for these records and they will be retained centrally. Records will be retained for the periods specified in guidance on record retention.

Under the Freedom of Information and Data Protection Acts complainants have a right to copies of these records.

### **1.8 Upholding or not upholding a complaint**

At each stage of the complaints procedure, the conclusion will be:

- Either that the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken; or
- That the complaint is not upheld and reasons for this are clearly given.

In the first instance, 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 policies in light of the complaint

In the second instance, the complainant may either choose to take no further action or to take their complaint to the next relevant stage.

### **1.9 Publicity and Communication**

There is a legal requirement for schools to publicise their complaints procedure.

This procedure is available on The Heath Family (NW) Multi Academy Trust website, on each of the schools within the Trust websites and also included or referred to in:

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

- The report to parents
- Information given to new parents on induction
- Information given to current students at school
- The home school agreement
- Bulletins and Newsletters
- Documents supplied to community users i.e. letting agreements
- Posters displayed in public areas of the school

All Board Members, Governors and Staff will be made aware of the complaints procedure and various stages involved.

At all stages of the procedure everybody needs to be clear about what is happening and what their responsibilities are.

The complainant will be informed on how to proceed to the next stage if and when his/her complaint is not upheld.

### **1.10 Confidentiality**

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on a 'need to know basis'. Complainants are expected to treat their complaint confidentially in the same way that the school is.

### **1.11 Equal access, accompaniment and representation**

Appropriate steps will be taken to ensure that any individual has the opportunity to raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented by a friend or relative at discussions and hearings and/or to submit formal complaints, which have been written by another individual on their behalf.

Should any meeting need to be held where any parties would have difficulty in terms of access to the school then a suitable venue agreeable to all concerned will be arranged.

It is an expectation that equal respect will be granted to each person involved within the process and that the differences between people will be respected and understood.

### **1.12 Time between stages**

Although each of the stages within the procedure should occur consecutively, it is not necessary for each stage immediately to follow the last. Complainants may need some time to decide whether or not they wish to pursue the matter any further.

After each stage, the complainant and the individual who is dealing with their complaint at that time will agree a realistic/reasonable time limit within which the next stage will be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time limit it will be considered as closed, unless further investigations are required. In these cases a new time limit will be set and the complainant will be sent details of the new deadline and explanation for the delay.

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

### **1.13 Changes to time limits and deadlines**

In general, the time limits and deadlines contained within this Policy will be adhered to. However, in certain circumstances it may be deemed inappropriate to guarantee that this is possible. Where a complaint leads to criminal proceedings this will always be the case.

### **1.14 Appeals**

If at any stage, as the result of a complaint, a decision or course of action is taken with respect to an individual (apart from the complainant) which the complainant feels is groundless, unjustified or incorrect the complainant has the right to appeal.

### **1.15 Serial and Persistent Complainants**

The Heath Family (NW) Multi Academy Trust will do its best to be helpful to people who contact them with a complaint or concern or a request for information. However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. In these cases the Chair of Governors will inform the complainant that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and in these circumstances the school will choose not to respond. If this decision is reached the complainant will be notified in writing. Please note: a complaint will not be marked as 'serial' before the complainant has completed the procedure, and if the complainant has a new complaint to raise, this will be responded to.

Under no circumstances will a complainant be marked as 'serial' for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached.

Where an individual's behaviour causes a significant level of disruption schools will implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact (eg a fixed number of contacts per term).

Should a case arise whereby school staff find it difficult to deal direct with a complainant because of their unreasonable behaviour and other strategies are not working, they will approach The Heath Family (NW) Multi Academy Trust to ask for assistance. If this is agreed, complainants can be advised not to contact the school, but to communicate instead with the Trust, who will co-ordinate any response.

Complainants who have been restricted in their communications with the school may ask a third party, such as Citizens Advice, to act on their behalf.

If a complainant persists to the point that the school/Trust considers it to constitute harassment, legal advice will be sought as to the next steps.

(Also, see Unreasonable Complainants Policy)



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**COMPLAINTS PROCEDURE IN DETAIL:**

**2 STAGE 1: Informal discussion**

**2.1 Introduction**

The vast majority of concerns and complaints can be dealt with informally. There are many occasions where concerns are resolved straight away without the need to submit a formal complaint. Indeed, many concerns raised at this level might not be classified as complaints.

When a complaint is made directly against the school's Principal, stage 2 is not required and the formal procedure begins at stage 3.

**2.2 Who to speak to informally**

Individuals may decide to raise their concerns with a class teacher, a member of school administration staff, senior teacher, the Principal or a Governor depending on their wishes and the type of issues they want to discuss. Please note the Chair of Governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

**Procedure**

Once a concern has been raised the complainant may be invited to attend an informal meeting with a member of staff or the Principal/Chair of Governors to discuss their concerns. The complainant is welcome to bring a friend, partner or, in the case of a student/child who has raised a concern, a parent to this meeting. It may be appropriate for a student/child to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

**Whoever investigates the complaint will ensure the complainants concerns are dealt with appropriately and efficiently, this will include:-**

- Establishing what has happened so far, and who has been involved;
- Clarifying the nature of the complaint and what remains unresolved;
- Meeting with the complainant or contact them (if unsure or further information is necessary);
- Clarifying what the complainant feels would put things right, clearing up any areas of misunderstanding, identifying areas of agreement and discussing what might be possible;
- Interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. (This should include students and/or adults as appropriate, whether those complaining or complained about or witnesses);
- Conducting each interview with an open mind and be prepared to persist in the questioning;
- Ensuring that the complainant understands any future points of action that have been agreed upon during the meeting
- Keeping notes of each interview including any outcomes and a plan of action, if one has been agreed. .

## The Heath Family (NW) Multi Academy Trust Complaints Procedure

### 2.3 Time scales

There are no specific time scales for dealing with concerns at this stage. However, as at all stages, issues should be considered and dealt with as quickly and effectively as possible.

### 2.4 Response

When the investigation is complete, the member of staff investigating will contact the complainant to arrange a meeting to try to resolve the complaint. **Every effort should be made to try to resolve the complaint at this meeting.** Any of the following may be appropriate at this point:-

- An acknowledgement that the complaint is valid in whole or in part;
- An apology;
- An explanation;
- A clarification of misunderstandings;
- 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.

Some of the above may require that the investigator seeks authority from the Principal. Naturally, nothing will be offered or promised that cannot be justified or fulfilled.

### 2.5 Options for complainant

If the complainant is dissatisfied with the response he/she has been given and would like to take his/her complaint further, he/she should be referred to this Policy and told how to move on to the next stage.

## 3 STAGE 2 Referral to Principal

### 3.1 Introduction

This is the first stage of the formal complaints process. All communications between parties and the outcome of the process will be carefully recorded as set out in (1.7).

Where a complaint has not been resolved at Stage 1, it will be referred to the Principal **unless** the original complaint concerned either the Principal or the Chair of the Governing Body in which case the complainant may refer it straight to Stage 3.

The Principal will either investigate the complaint personally or refer it to another appropriate senior member of staff. At this point it is possible that the complaint will have escalated to include a complaint concerning the manner in which the original complaint has been handled. Both parts of the complaint would in this case need to be investigated.

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

### **3.2 Informal discussion with Principal**

Before proceeding with a formal investigation, the Principal will meet with the complainant and discuss his/her concerns and wishes. It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the Principal will decide whether the complainant's complaint will be dealt with by this Policy or another statutory procedure and advise them on what they will need to do.

### **3.3 Submitting a formal complaint**

By this stage it must be clear that the concern is a definite complaint, which will be dealt with according to this procedure and should be formally submitted in writing to the Principal, using the School Complaints Form at Appendix 3.

As indicated within the 'equal access, accompaniment and representation' section of this Policy, all complainants have the right to submit formal complaints, at this or any stage, which have been written by another individual on their behalf.

### **3.4 Acknowledgement and time scales**

The Principal will acknowledge formally the complaint within 3 school days of receiving it and begin an investigation. The Principal will forward a copy of this acknowledgement of the complaint to the Executive Principal of the Heath Family (NW) Multi Academy Trust.

### **3.5 The investigation**

The Principal will need to investigate the complaint and review any relevant documentation and information. If necessary, the Principal will interview witnesses and take statements from those involved. If the complaint centres around a student the student will also usually be interviewed.

As indicated within the 'equal access, accompaniment and representation' section of this document, all individuals have the right, at this or any other stage, to be accompanied or represented by a friend or relative at discussions and hearings. This includes the right of teachers to be accompanied by a representative of their trade union. When students are interviewed, an additional member of staff should always attend.

### **3.6 Response**

The Principal will provide the complainant with a full written response within 10 days of acknowledging the complaint, and what action (if any) will be taken.

### **3.7 Options for complainant**

If the complainant is dissatisfied with the response he/she has been given and would like to take his/her complaint further, he/she should be referred to the school's complaints procedure and told how to move on to the next stage.

**The Heath Family (NW) Multi Academy Trust  
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**4 STAGE 3: Referral to Governing Body Complaints Panel**

**4.1 Introduction**

Complaints only rarely reach this formal level, but it is important that governing bodies are prepared to deal with them.

Upon receiving a formally submitted complaint at this stage the Chair of the Governing Body will usually choose to deal with it by holding a complaints panel hearing. However, in some cases, it may be possible and appropriate for the Chair to resolve the issue with the complainant informally in the first instance by meeting with the complainant to discuss his/her concerns and wishes and, if possible and by agreement, to resolve the complaint without the need for a formal Governing Body Complaints Committee meeting. If this is not possible, the Chair will arrange for a Governing Body Complaints Committee review meeting to be convened.

In the event that the complaint is about the Chair of the Governing Body, his/her role in this Stage 3 process shall be taken by the Vice-Chair and the Chair shall not take any part in the Governing Body review.

The complaints panel must be clerked. The clerk may be a member of the school staff, the Clerk to the Governing Body or another governor.

When stage 2 has been missed out (section 1.4) this is the first stage under which a formal complaint about the Principal will be dealt with.

Appendix 1 summarises the key roles and responsibilities of the complaints committee.

**4.2 The Complaints Panel**

The Governing Body will appoint a complaints committee panel which shall comprise at least three people who are not directly involved in the matters being complained about. Where a hearing of the complaint by the Complaints Panel takes place, one member of the Complaints Panel shall be independent of the management and running of the school. The committee will elect its own chair.

**4.3 Submitting a formal complaint**

The complainant must submit a written request to the Chair for his/her complaint to be considered by a Complaints Panel. As indicated within the 'equal access, accompaniment and representation' section of this Policy, all complainants have the right to submit formal complaints, at this or any stage, which have been written by another individual on their behalf.

**4.4 Acknowledgement and time scales**

The Chair should acknowledge receipt of the complaint within five school days if possible but no more than ten at most by writing to the complainant. This letter will inform the complainant that his/her complaint will be heard by a Complaints Panel within 15 school days of the date of the letter. The Chair will forward a copy of this letter to the Executive Principal of the Heath Family (NW) Multi Academy Trust.

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### **4.5 Preparation**

The Chair will then contact the clerk and ask him or her to begin making preparatory arrangements. The Chair will make an appointment of a member of the Panel who is independent of the management and running of the school.

The Clerk will convene a meeting of the Complaints Panel. The membership of the Complaints Panel will be confirmed, a date and time will be arranged for a hearing and all existing relevant documentation will be given to the appointed members of the Complaints Panel.

The Clerk will then write formally to the complainant, the Principal and any other staff or witness and inform them:-

- Of date, time and venue of hearing/meeting
- Aims and objectives of hearing/meeting and how it will be conducted
- That any documentation they wish the committee to consider must be returned to the clerk no later than 5 school days before the hearing/meeting takes place
- Of the rights of equal access, accompaniment
- How and when the committee will make a decision

It is the responsibility of the clerk to ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing so as to allow individuals to familiarise themselves with them.

### **4.6 The Hearing**

The hearing will allow each party involved to explain their understanding or interpretation of events and for other parties to question them. The hearing will, therefore, usually operate according to the following format:

- The chair will introduce all parties to one another and explain the principles, objectives and format of the hearing
- The complainant will be given the opportunity to explain his/her complaint. Following this the Principal and the Complaints Panel will be allowed to ask the complainant questions.
- The Principal will then be given an opportunity to explain the school's official response, interpretation or view about the complaint. Following this the complainant and committee will be allowed to question the Principal.
- The complainant will be given the opportunity to call witnesses and question witnesses called by other parties.
- The Principal will be given the opportunity to call witnesses and question witnesses called by other parties.
- The Principal and the complainant will both be given the chance to give final statements.
- The hearing will be concluded by the chair who should explain that the committee will consider its decision and write to both parties within five school days informing them of the outcome.

The chair of the meeting has control over its proceedings.

## **The Heath Family (NW) Multi Academy Trust Complaints Procedure**

### **4.7 After hearing**

The Complaints Panel will then consider the complaint and all the evidence presented and:

- Reach a unanimous, or at least a majority decision, on the complaint;
- Decide upon the appropriate action (if any) to be taken;
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

This information will be included in both the letters to the Principal and the complainant within 5 days of the hearing.

### **4.8 Options for complainant**

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

## **5 The Heath Family (NW) Multi Academy Trust**

### **5.1 Introduction**

Individuals have the right to contact the Heath Family (NW) Multi Academy Trust with respect to the way their complaint has been handled.

Usually, The Heath Family (NW) Multi Academy Trust will not take any action until the school's procedures have been exhausted.

### **5.2 Complaining to The Heath Family (NW) Multi Academy Trust**

If a complainant feels the manner in which a complaint has been dealt with, he/she can refer it to the Heath Family (NW) Multi Academy Trust which will consider whether the complaint has been dealt with properly by the School.

### **5.3 Contacting the The Heath Family (NW) Multi Academy Trust**

The Heath Family (NW) Multi Academy Trust  
c/o Palace Fields Primary School  
Badger Close  
Runcorn  
WA7 2QW

How the ESFA handles complaints raised about academies can be found by visiting the following website:

<https://www.gov.uk/government/publications/complain-about-an-academy>

## **Appendix 1 - Key Roles and Responsibilities**

**The Complainant** (or person who makes the complaint) will receive a more effective response to the complaint if they:-

- Co-operate with the school in seeking a solution to the complaint;
- Express the complaint in full as early as possible;
- Respond promptly to requests for information or meeting or in agreeing the details of the complaint
- Ask for assistance as needed;
- Treat all those involved in the complaint with respect.

**The Principal** should:-

- Ensure that the complainant is fully updated at each stage of the procedure;
- Ensure that all people involved in the complaint procedures will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- Liaise with staff members, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- Keep records;
- Be aware of issues regarding:
  - \* sharing third party information;
  - \* additional support – this may be needed by complainants when making a complaint including interpretation support.

**The Investigator** is the person involved in Stages 1 and 2 of the procedures. The Investigator's role can include:-

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:-
  - \* sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - \* consideration of records and other relevant information;
  - \* interviewing staff and children/young people and other people relevant to the complaint;
  - \* analysing information;
- Effectively liaising with the complainant and the Principal as appropriate to clarify what the complainant feels would put things right;
- Identifying solutions and recommending courses of actions to resolve problems;
- Being mindful of the timescales to respond; and
- Responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- 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.

## The Heath Family (NW) Multi Academy Trust Complaints Procedure

### The Interviewee

In the course of investigating a complaint, an investigator may need to interview various parties who can provide evidence to assist with their enquiry. An interviewee should be aware that they can:

- Invite a colleague, friend or professional body/union representative to an interview for any advice/support they may need. This will in no way prejudice them with the investigator.

**The Clerk to the Governing Body** organises the complaints committee. They will need to:

- Set the date, time and venue of the review, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to parties in advance of the review;
- Meet and welcome the parties as they arrive at the review;
- Record the proceedings;
- Circulate the minutes of the panel review
- Notify all parties of the committee's decision.
- Liaise with the Principal/Chair of Governors/Chair of Panel

**The Chair of the Governing Body** should:

- Check that the correct procedure has been followed;
- If a review is appropriate, notify the clerk to arrange the committee.

**The Chair of the Complaints Committee** has a key role, they need to ensure that:

- The meeting is minuted.
- The remit of the committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a review are put at ease – this is particularly important if the complainant is a child/young person;
- The review is conducted in an informal manner with each party treating the other with respect and courtesy;
- The layout of the room will set the tone – care is needed to ensure the setting is informal and no adversarial;
- 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;
- Each side is given the opportunity to state their case and seek clarity;
- Written material is seen by all parties in attendance. If a new issue arises it would be useful to give all parties the opportunity to consider and comment upon it, this may require a short adjournment of the review
- They liaise with the clerk.

The Chair of the complaints committee needs to ensure that the complainant is notified of the committee's decision, in writing, with the committee's response within 5 school days. His/her letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed



## The Heath Family (NW) Multi Academy Trust Complaints Procedure

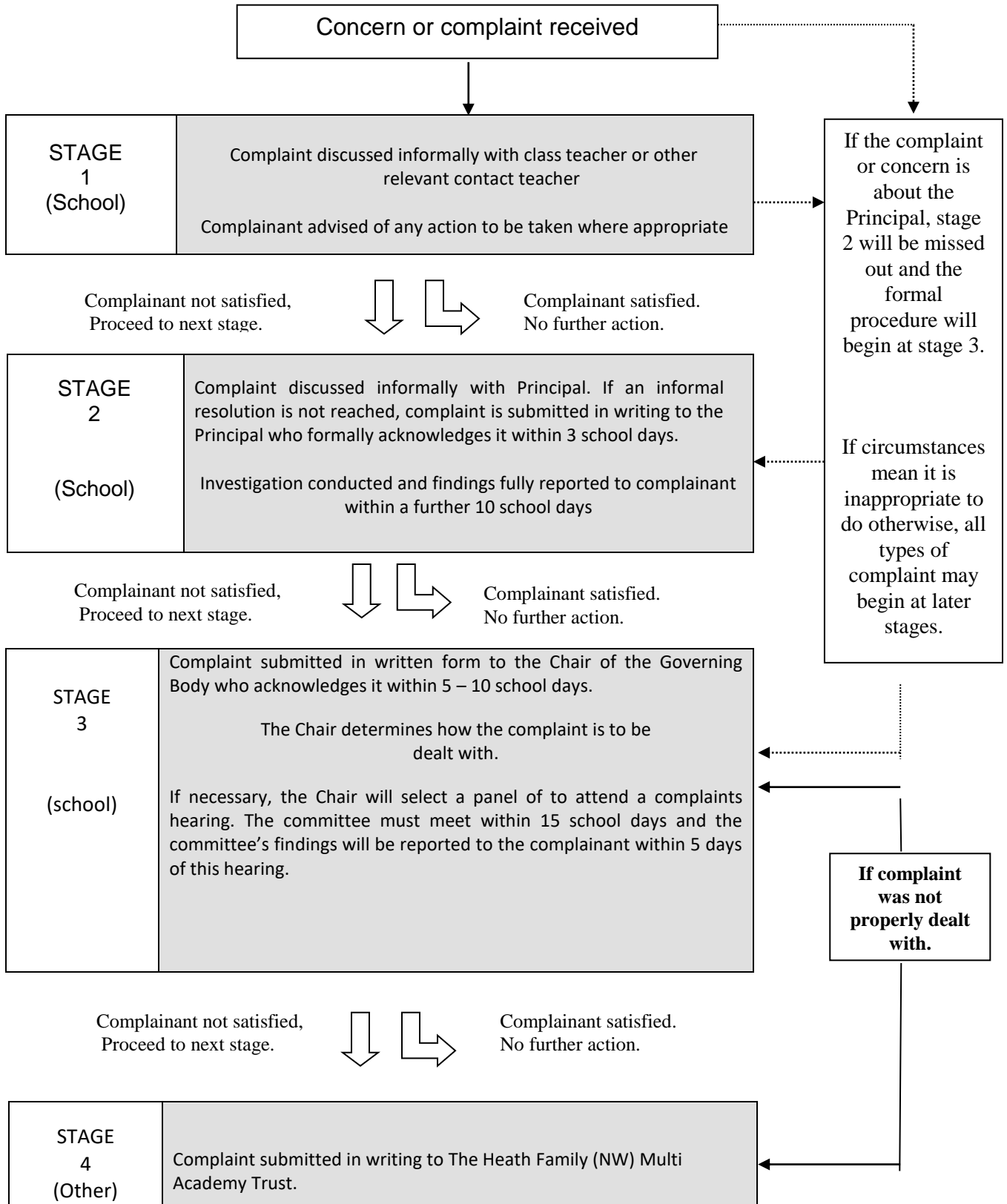
**Members of the Complaints panel** need to be aware that:

- It is important that the review panel hearing is independent and impartial, and that it is seen to be so;  
No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the review, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school/Trust and the complainant;  
However, it must be recognised that the complainant might not be satisfied with the outcome if the review does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.
- Many complainants will feel nervous and inhibited in a formal setting;  
Parents/Carers often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcoming as possible.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the review;  
Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The Panel will 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 Panel will 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 Panel will give the parent the opportunity to say which parts of the review, if any, the child/young person needs to attend.  
The parent will be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the Panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.

**The Heath Family (NW) Multi Academy Trust  
Complaints Procedure**

**Appendix 2-**

**Flow chart illustrating Complaints Procedure**





The Heath Family (NW) Multi Academy Trust  
Complaints Procedure

School Complaints Form (Page 2 of 2)

What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? If so, please give details.

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.....  
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Signature: .....

Date: .....

Official use.....

Date acknowledgement sent: .....

By who: .....

Complaint referred to: .....

Date: .....

**The Heath Family (NW) Multi Academy Trust  
Complaints Procedure**

## Contact Details

### The Heath Family (NW) Multi Academy Trust

**Chair:** Mrs H Stevenson c/o [troberts@theheathfamily.org.uk](mailto:troberts@theheathfamily.org.uk)  
**Chief Executive Officer:** Mr D Donnelly [ddonnelly@theheathfamily.org.uk](mailto:ddonnelly@theheathfamily.org.uk)  
**Address:** c/o Palace Fields Primary School, Badger Close, Runcorn, WA7 2QW

### The Heath School

**Executive Principal:** Mr J Jardine [jardinej@heathschool.org.uk](mailto:jardinej@heathschool.org.uk)  
**Chair of Governors:** Mrs J Ainsworth via Clerk to Governors  
**Clerk to Governors:** Mrs M Wadsworth [mwadsworth@heathschool.org.uk](mailto:mwadsworth@heathschool.org.uk)  
**Address:** Clifton Road, Runcorn, Cheshire, WA7 4SY

### Sir William Stanier Community School

**Principal:** Mr J Fraser [jason.fraser@sws.cheshire.sch.uk](mailto:jason.fraser@sws.cheshire.sch.uk)  
**Chair of Governors:** Mr D Cooper via Clerk to Governors  
**Clerk to Governors:** Ms M Dobson [michele.dobson@sws.cheshire.sch.uk](mailto:michele.dobson@sws.cheshire.sch.uk)  
**Address:** Coronation Street, Crewe, Cheshire, CW1 4EB

### Bridgewater Park Primary School

**Principal:** Mrs K Murphy [head@bridgewaterparkprimary.org.uk](mailto:head@bridgewaterparkprimary.org.uk)  
**Chair of Governors:** Mrs M Cassin via Clerk to Governors  
**Clerk to Governors:** Mrs R Harle [rachel.harle@edsential.co.uk](mailto:rachel.harle@edsential.co.uk)  
**Address:** Plantation Close, Castlefields, Runcorn, Cheshire, WA7 2LW

### Litherland High School

**Principal:** Mr R Rogers [rrogers@mylhs.org](mailto:rrogers@mylhs.org)  
**Chair of Governors:** Mr I Mitchell via Clerk to Governors  
**Clerk to Governors:** Ms L Kinsella [lkinsella@mylhs.org](mailto:lkinsella@mylhs.org)  
**Address:** Sterrix Lane, Litherland, Liverpool, L21 0DB

### The Prescott School

**Executive Principal:** Mr J Jardine [jardinej@heathschool.org.uk](mailto:jardinej@heathschool.org.uk)  
**Chair of Governors:** Mrs M Cassin via Clerk to Governors  
**Clerk to Governors:** Mrs K Brackley [kbrackley@prescotschool.org.uk](mailto:kbrackley@prescotschool.org.uk)  
**Address:** Knowsley Park Lane, Prescott, Liverpool, L34 3NB

**The Heath Family (NW) Multi Academy Trust  
Complaints Procedure**

**Palace Fields Primary School**

**Principal:** Mr P Holloway [head@palacefieldsschool.co.uk](mailto:head@palacefieldsschool.co.uk)  
**Chair of Governors:** Mrs J Ainsworth [via Clerk to Governors](#)  
**Clerk to Governors:** Mr M Fair [Michael.fair@edsential.co.uk](mailto:Michael.fair@edsential.co.uk)

**Address:** Badger Close, Palace Fields, Runcorn, WA7 2QW

**Daresbury Primary School**

**Principal:** Mrs C Roberts [head.daresbury@halton.gov.uk](mailto:head.daresbury@halton.gov.uk)  
**Chair of Governors:** Mr M Pocock [via Clerk to Governors](#)  
**Clerk to Governors:** Mrs A Dunabin [Alison.dunabin@edsential.co.uk](mailto:Alison.dunabin@edsential.co.uk)

**Address:** Chester Road, Daresbury, Runcorn, WA4 4AJ

**Halsnead Primary School**

**Principal:** Miss H Taylor [helen.taylor@halsnead.co.uk](mailto:helen.taylor@halsnead.co.uk)  
**Acting Chair of Governors:** Mrs A Lawson [via School Office](#)  
**School Office contact:** Mrs A Tyrell [amanda.tyrell@halsnead.co.uk](mailto:amanda.tyrell@halsnead.co.uk)

**Address:** Pennywood Drive, Whiston, Prescot, L35 3TX

**Litherland Moss Primary School**

**Principal:** Miss S Greer [greers@litherlandmoss.co.uk](mailto:greers@litherlandmoss.co.uk)  
**Chair of Governors:** Mr D Sweeney [via Clerk to Governors](#)  
**Clerk to Governors:** Mrs E Oliver [admin.litherlandmoss@schools.sefton.gov.uk](mailto:admin.litherlandmoss@schools.sefton.gov.uk)

**Address:** Moss Lane, Litherland, Liverpool, L21 7NN

Appendix 4 - Schedule 1 (Part 7) - Manner in which complaints are to be handled

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*Status: This is the original version (as it was originally made). UK  
Statutory Instruments are not carried in their revised form on this site.*

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SCHEDULE 1

PART 7

Manner in which complaints are to be handled

25. The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which—

- (a) is in writing;
- (b) is made available to parents of pupils;
- (c) sets out clear time scales for the management of a complaint;
- (d) allows for a complaint to be made and considered initially on an informal basis;
- (e) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establishes a formal procedure for the complaint to be made in writing;
- (f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- (g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;
- (h) allows for a parent to attend and be accompanied at a panel hearing if they wish;
- (i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—
  - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
  - (ii) available for inspection on the school premises by the proprietor and the head teacher;
- (j) provides for a written record to be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing;
- (k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them; and
- (l) where the school provides accommodation, is drawn up having regard to Standard 5 of the National Minimum Standards for Boarding Schools or where applicable Standard 4 of the National Minimum Standards for Residential Special Schools.