

# Tauheedul Education Trust

This policy is in line with the Vision of the Trust

*Nurturing Today's Young People, Inspiring Tomorrow's Leaders*

## COMPLAINTS POLICY



Tauheedul  
Education Trust

## Document Control

<b>This policy has been approved for operation within:</b>	All Trust Establishments
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## Contents

1	Introduction .....	1
2	Aims .....	1
3	Who is Responsible for this Policy? .....	1
4	Stage One – Informal Resolution .....	1
5	Stage Two - Formal Procedure .....	1
6	Stage Three – Panel Hearing.....	2
7	Accountability .....	3
8	Monitoring, Evaluation and Review .....	3
	Appendix 1: Complaint Reporting Form .....	4
	Appendix 2: Template Completion of Procedures Letter .....	5

## **1 Introduction**

- 1.1 This policy applies to all complaints made against the Tauheedul Education Trust and its establishments; excluding those in relation to child protection allegations which have their own processes.

## **2 Aims**

- 2.1 To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- 2.2 To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- 2.3 To ensure all complaints are investigated fairly and in a timely way.
- 2.4 To ensure that complaints are, wherever possible, resolved and that relationships are repaired.
- 2.5 To gather information which helps us to improve what we do.
- 2.6 To support the mission, vision and values of the Trust and its establishments.

## **3 Who is Responsible for this Policy?**

- 3.1 The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory or Trust framework. The Trust has delegated day-to-day responsibility for operating the policy to the Trust Central Team, Local Governing Body and Head of each establishment.
- 3.2 The Local Governing Body and Senior Leadership Team at each establishment has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

## **4 Stage One – Informal Resolution**

- 4.1 The Trust expects that before seeking to use formal procedures, the complainant:
- 4.1.1 will have raised the issue with the relevant staff member within the Establishment; and
  - 4.1.2 will have made reasonable attempts to seek an informal resolution.
- 4.2 Where a minor problem arises at source, or where a minor complaint is made directly and verbally, this should be dealt with at source with explanation and mediation being the key forms of resolution.

## **5 Stage Two - Formal Procedure**

- 5.1 An establishment's Chair of Governing Body shall have a discretion, which will be exercised reasonably, not to allow a written complaint to be pursued where an Informal Resolution has not been sought.
- 5.2 The Complainant must put the complaint in writing using the Trust's Complaints Form (Appendix 1) unless the complainant has a disability which prevents this, in which case the complainant may contact the Establishment for assistance. The complaint should be addressed to the Head of Establishment.

- 5.3 The Head of Establishment will acknowledge receipt of the complaint by letter, and pass the complaint to a nominated senior member of staff as appropriate for investigation.
- 5.4 An investigation of the complaint will be carried out by the nominated senior member of staff who will report to the Head of Establishment.
- 5.5 The Head of Establishment will discuss the matter with the complainant. This may be during a meeting or over the telephone. Whenever reasonably possible, such discussion will take place within 15 working days (in the case of a school, this will be 15 school days) of the complaint being received.
- 5.6 The Head of Establishment will then put their findings in writing and indicate what steps, if any, should be taken in order to resolve the matter. Whenever reasonably possible, this will be done within 15 working days (in the case of a school, this will be 15 school days) of the discussion with the complainant at 5.5 above.
- 5.7 A copy of the Complaint Form and the written response will be submitted to the Governance Team of the Trust's Central Team by the Head of Establishment.
- 5.8 Where a complaint relates to the Head of Establishment, a member of the Trust Central Team will take over this role. Otherwise, the procedure for the Stage Two will remain the same.

## **6 Stage Three – Panel Hearing**

- 6.1 If the complainant is not satisfied with the outcome of the first and second stage, the complainant may request that the complaint be considered by the Complaint Appeals Panel of the Establishment which will comprise of two members of the Establishment's Governing Body who have not previously been involved in the complaint, and one person independent of the management and running of the Trust. The selection of the independent member will be supported by the Governance Team of the Trust's Central Team.
- 6.2 A request to use the third stage must be in writing, addressed to the Head of Establishment within 10 working days (in the case of a school, this will be 10 school days) of the Stage Two response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.
- 6.3 The Head of Establishment will put in writing its response to the complainant's reasons for requesting the Appeal. The Establishment will do this within 15 working days (in the case of a school, this will be 15 school days).
- 6.4 At the end of that 15 day period (whether or not the Establishment has responded to the complainant) the Clerk to the Governing Body will convene a hearing of the Complaint Appeals Panel. That hearing will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Establishment and the members of the Panel. Whenever possible, the hearing will be held within 15 working days (in the case of a school, this will be 15 school days) of the end of the Establishment's response time.
- 6.5 All parties will be provided with a minimum of 7 working days' notice of the date of the Complaints Appeals Panel (in the case of a school, this will be 7 school days).
- 6.6 The following are entitled to attend the Panel hearing, submit written representations and address the Panel:
  - 6.6.1 the complainant/s and/or one representative;
  - 6.6.2 the Head of Establishment and/or one representative; and

- 6.6.3 any other interested person whom the Complaint Appeals Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
- 6.7 The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 working days (in the case of a school, this will be 10 school days), and the Clerk to the Governing Body will notify all concerned.
- 6.8 The Panel findings and recommendations will be:
  - 6.8.1 sent in writing to the complainant within the 'Completion of Procedure' letter (template at Appendix 2);
  - 6.8.2 sent, where relevant, to the person complained about; and
  - 6.8.3 available for inspection on the Establishment's premises.
- 6.9 A written record will be kept of all complaints by the Establishment and by the Governance Team of the Trust's Central Team.
- 6.10 Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 requests access to them or where the Trust is otherwise required by law to disclose them.

## **7 Accountability**

- 7.1 The Head of Establishment holds delegated responsibility for discharging the sound application of all establishment policies.
- 7.2 The Head of Establishment should inform the Trust Central Team and their Governing Body of all matters relating to serious breaches of this policy including any major incident to be addressed under this policy promptly, preferably prior to action being taken insofar as is reasonably practicable.

## **8 Monitoring, Evaluation and Review**

- 8.1 The policy will be promoted and implemented throughout all Trust establishments.
- 8.2 The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.
- 8.3 The Trust will review this policy every two years in consultation with each Trust establishment.

## Appendix 1: Complaint Reporting Form

### Complaint Reporting Form



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Please complete in BLOCK CAPITALS and return to the Head of Establishment, who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>	
<b>Pupil's name (if applicable):</b>	
<b>Your relationship to the pupil (if applicable):</b>	
<b>Address, incl. Postcode:</b>	
<b>Daytime telephone number:</b>	
<b>Evening telephone number:</b>	
<b>Please give details of your complaint:</b>	
<b>What action, if any, have you already taken to try and resolve your complaint? (To whom did you speak to and what was the response?)</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so please give details.</b>	
<b>Signature:</b>	<b>Date:</b>

For official use only	
Date acknowledgement sent	
Acknowledgement sent by	
Complaint referred to	
Complaint referred on (date)	

## Appendix 2: Template Completion of Procedures Letter

<\* Please add required detail/ deletion options as appropriate. Do NOT delete any non\* parts within the letter as it is a statutory template. Seek guidance from the Governance Team of the Central Office if required>

<Establishment Letter Head>

Dear <\*Name of complainant>

### Completion of Procedures Letter

This letter confirms that the internal procedures of this establishment in relation to your complaint regarding <\*please describe> have been completed.

The issues that you raised in your complaint were <\*please summarise>.

The issues that were considered in relation to complaint were: <\*brief summary of the complaint >.

The final decision of the Establishment is <\*detail> because <\*reasons>.

The <\*procedure/ policy / regulation> applied were: <\*details >.

*\*Establishment to delete one of the following paragraphs as applicable:*

*\*Either:*

Complainants who are dissatisfied about the handling of their complaint for a Trust school may contact the Education Funding Agency (EFA) using their [online school complaints form \(www.gov.uk/complain-about-school\)](http://www.gov.uk/complain-about-school).

*\* Or, in the case of SCITT:*

Under the Higher Education Act 2004, the Establishment subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome, you may be able to apply for a review of your complaint to the Office of the Independent Adjudicator for Higher Education (OIA) providing that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form must be received by the OIA within three months of the date of this letter, that is, it must be received by the OIA on or before <insert date - e.g. if the Completion of Procedures Letter is dated 7 January, this date should be 7 April>.

The OIA's leaflet, 'An Introduction to the OIA for Students', can be downloaded from [http://www.oiahe.org.uk/media/34396/oia\\_intro\\_leaflet.pdf](http://www.oiahe.org.uk/media/34396/oia_intro_leaflet.pdf) and a link to the OIA Complaint Form is available on page 8. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.** Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the <\*EFA / OIA> will normally only review issues that have been dealt with through the Establishment's internal procedures.

Yours sincerely

<Authorised signatory>