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COMPLAINTS POLICY

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1. Aims

Our school 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 complainants' desire for confidentiality
- Treat complainants and all staff with respect
- Keep complainants 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 complainant 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 provided by the Government and complies with our funding agreement and articles of association 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 DoE on creating a complaints procedure that complies with the DfE regulations,.

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

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 not within the scope of this policy. Such complaints should first be made to the SENDCO. Our SEN Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about the school's SEND provision should in the first instance be made to the SENDCO and escalated to the Headteacher if not resolved.

Statutory EHCP assessment and appeal procedures should be sent to your Local Authority. If you are appealing against a formal decision or the LA refusal to issue a plan after an assessment then you must appeal to HM Courts and Tribunal Service First Tier Tribunal.

Complaints alleging disability discrimination may also be subject to separate statutory rights and procedures. The school will explain the appropriate route where necessary.

The school will make reasonable adjustments to the complaints process for disabled complainants and will provide appropriate support to enable parents and carers to access the procedure.

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 complainant 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 complainant 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. The three month period begins from the date of the incident, 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

5. Stages of complaint (not complaints against the Headteacher or a trustee)

Stage 1:

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. Many concerns will be dealt with informally when you first make them known to the school. We pride ourselves on honest and genuine relationships within our school; such values extend to all relationships with children, parents and members of the wider community.

The complainant should raise the complaint as soon as possible with the relevant member of staff either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The staff member will acknowledge informal complaints within 10 school days, and investigate and provide a response within 15 school days following acknowledgement of the complaint,

If the complaint is not resolved informally, it will be escalated to one of the Headteachers of the School see stage 2

Stage 2:

This stage involves the complainant putting the complaint into writing, usually to the Headteacher. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Headteacher will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the CEO in writing within 15 school days.

Stage 3:

This stage involves the complainant putting the complaint into writing to the CEO. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The CEO will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should lodge a formal complaint to trustees in writing within 15 school days.

Stage 4:

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the third, formal, stage. The panel will be appointed by or on behalf of the Members and must consist of at least 3 members of which 2 can be Trustees who were not directly involved in the matters detailed in the complaint. At least1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of trustees, as they are not independent of the management and running of the school. All three panel members must have had no direct involvement in the complaint.

The panel will have access to the existing record of the complaint's progress. The complainant must have reasonable notice of the date of the review panel; the panel will offer a reasonable opportunity for the complainant to attend and be accompanied. The panel meeting must be convened within 15 workings with a written explanation where an extension is necessary. At the review panel meeting, the complainant 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 complainant must be allowed to attend the panel hearing and be accompanied if they wish. All papers must be submitted to the clerk five working days in advance of the panel meeting.

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 complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant 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 a copy of the findings and recommendations to the complainant and, where relevant, the

individual who is the subject of the complaint, and make a copy available for inspection by the Chair of Trustees and Members and headteacher [if the Headteacher is not the focus of the complaint]

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

6a. Complaints against the Headteacher/ Co Headteachers /CEO

Where a complaint concerns the Headteacher or one of the Co-Headteachers, it should not be investigated by the individual who is the subject of the complaint. The complaint will be referred to the CEO or another appropriately independent person appointed by the Academy Trust.

Where a complaint concerns both Co-Headteachers, it will be referred directly to the CEO.

Where the complaint concerns the CEO, it should be addressed to the Chair of Trustees, who will arrange for the complaint to be considered by a person or panel without prior involvement.

Complaints concerning the Chair of Trustees should be addressed to the Clerk to the Trust Board and referred to an appropriate trustee or Member who has no involvement in the matter.

In all cases, complainants will retain access to an impartial final complaints panel hearing in accordance with this policy.

If the complaint is wholly or mainly about the CEO, the complaint must be submitted to the Chair of Trustees The written complaint should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. The Chair of Trustees will appoint a fellow Trustee to conduct an investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should write to the Chair of Trustees in writing within 15 school days. The complaint will be escalated to a panel hearing.

The panel will be appointed by or on behalf of the Members and must consist of at least 3 members of which 2 can be Trustees who were not directly involved in the matters detailed in the complaint. At least1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of trustees, as they are not independent of the management and running of the school. All three panel members must have had no direct involvement in the complaint.

The panel will have access to the existing record of the complaint's progress. The complainant 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 complainant. At the review panel meeting, the complainant 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 complainant must be allowed to attend the panel hearing and be accompanied if they wish. All papers must be submitted to the clerk five working days in advance of the panel meeting.

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 complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant 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 a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Chair of Trustees and Members.

6b Complaints against a Trustee

Where a complaint is against the Chair of Trustees or any member of the Trustees, it should be made in writing to the Members. The members will consider the complaint in accordance with Stage 2 of the procedure.

6c Protection against retaliation

State that pupils and parents will not be disadvantaged or treated less favourably because they have raised a complaint in good faith.

6d Acknowledgement of formal complaints

Stages 2 and 3 each have a five-school-day acknowledgement deadline

6e Complaints involving safeguarding

Safeguarding allegations will be referred promptly to the DSL, LADO or other appropriate safeguarding agency, without waiting for the ordinary complaints process. Where appropriate, the complaints process can resume after safeguarding enquiries.

6f Accessibility and reasonable adjustments

Complaints to be submitted with assistance where a disability, literacy difficulty or communication need prevents a written submission.

6g Definition of school days

School days are days when the school is open to pupils, excluding weekends, school holidays and INSET days. Complaints received during holidays will not be acknowledged until the first day of any new term.

6h Complaints about staff conduct

Parents can complain about staff conduct under this procedure, although any subsequent disciplinary action will remain confidential

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

If the complainant has exhausted the school's local complaints procedure and believes the academy acted unlawfully, failed to follow its published policy or breeched its funding agreement they can escalate the matter to the Department of Education.

The DoE will check whether the procedures have been followed. The DoE cannot 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 complainant 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 trustees (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant 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 complainant's needs, and

 The complainant has been given a clear statement of the school's position and their options

(if any), and

 The complainant 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. Please refer to "Standards of Behaviour towards LMAT staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email. The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Unreasonably persistent complaints

The LMAT will take appropriate action if complaints are found to be unreasonably persistent, malicious or unfounded. This includes those made using social media although it is acknowledged that these are often difficult to trace and address. Appropriate action may include the implementation of the school's behaviour policy and/or involvement of the local authority or the police.

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 complainant requests access to records of a complaint through a freedom of information (FOI) request or 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 for 3 years.

The details of the complaint, including the names of individuals involved, will not be shared with the trustees in case a review panel needs to be organised at a later point. Where the trustees are 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. Complainants 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 trustees, who will not unreasonably withhold consent.

10. Learning lessons

The trustees will review any underlying issues raised by complaints with the CEO Headteacher or Head of Kodesh, 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 trustees will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will track the number and nature of complaints, and review underlying issues as stated in section 10.

12. Links with other policies

Policies dealing with other forms of complaints include:

 Child protection and safeguarding policy and procedures

 Admissions policy

 Exclusions policy

 Staff grievance procedures

 Staff disciplinary procedures

 SEN policy and information report

Standards of behaviour towards LMAT staff

The Lubavitch Multi Academy Trust is a nurturing learning community. We believe pupils learn best in a safe and supportive environment based on respect and trust and underpinned by an effective partnership between parents, staff and the school community. The positive support of parents and carers is needed and highly valued by the school. The vast majority of parents, carers and other visitors to our school are supportive of the school, its teachers, other members of staff, its pupils, their parents and other visitors, and act in a reasonable way. Occasionally, however, a negative attitude is expressed in an aggressive, verbally abusive or physically abusive way towards these members of the school community which is unacceptable and will not be tolerated.

The school requires its teachers and other members of staff to behave professionally in these difficult situations, attempting to defuse the situation wherever possible, and to seek the involvement of other members of staff as appropriate. However, all teachers and members of staff have the right to work without fear of harassment, violence, intimidation or abuse. The school expects parents and other visitors to always behave in a reasonable way towards all members of the school community. This statement outlines the standards of communications encouraged and articulates the type of behaviour which falls below the standard the school expects and will not be tolerated.

Interactions Generally

Communications whether verbal or in writing with other members of the school community whether teachers, administration staff, other parents or students should

• show respect, courtesy and consideration

• respect the needs and well-being of staff

• maintain common courtesy at all times

• recognise the time constraints under which members of staff in schools work and allow the

school a reasonable time to respond

• recognise that resolving a specific problem can sometimes take some time

Unacceptable interactions

The types of behaviour which are unacceptable and will not be tolerated are:

shouting, either in person or over the telephone;

- using intimidating or threatening language or behaviour;
- using abusive or insulting language or behaviour;
- using aggressive or offensive hand gestures;
- any other behaviour likely to cause anybody witnessing it (including the recipient) alarm,

distress or to feel unsafe in the school environment.

This is not an exhaustive list but seeks to provide illustrations of such behaviour. We're in stressful times, and everyone's feeling it, thank you for your patience and politeness in speaking and treating our staff members as you would like to be treated and spoken to.

The Academy Trust recognises that complainants may feel strongly about matters affecting their children. Raising a complaint, requesting clarification, challenging a decision or exercising the right to progress through the complaints procedure will not, in itself, be regarded as unreasonable or persistent behaviour.

Any restrictions on communication will be proportionate, recorded, communicated in writing and kept under review.

Restrictions will not prevent a complainant from raising a new and materially different complaint, reporting a safeguarding concern, or exercising statutory rights.

Appendix Complaints Form Please email completed form to Mrs Poolat on r.poolat@lubavitchmat.uk

ACADEMY COMPLAINTS FORM

For use by parents, carers, students, staff, visitors, or external complainants

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Section 1: Complainant Details

Full Name:

Relationship to the Academy:
(Parent / Carer / Student / Staff / Visitor / Other)

Address:

Email:

Telephone Number:

Section 2: Details of the Concern / Complaint

Date the issue occurred:

Location (if relevant):

Individuals involved:

Description of the complaint:
(Please provide a clear and factual account of what happened, including dates, times, and any relevant background.)

Section 3: Actions Taken So Far

Have you raised this concern informally with a member of staff?
☐ Yes ☐ No

If yes, who did you speak to and when?

Summary of the informal discussion and outcome:

Section 4: Desired Outcome

What would you like the Academy to do to resolve your complaint?
(Please be specific.)

Section 5: Supporting Evidence

Please list any documents, screenshots, correspondence, or other evidence you are attaching:

Section 6: Declaration

I confirm that the information provided in this form is accurate and complete to the best of my knowledge.

Signature:

Date:

For Academy Use Only

Date received:

Received by:

Complaint Stage:

☐ Stage 1 ☐ Stage 2 ☐ Stage 3

Allocated to:

Target response date:

Notes:
