

## GOSFORTH GROUP COMPLAINTS PROCEDURE FOR PARENTS/CARERS OR FROM PEOPLE WHO ARE NOT PARENTS OF ATTENDING PUPILS

### 1 Scope of the complaints procedure

- 1.1 Gosforth Group is committed to providing the highest quality education and care for students; the Trust is committed to the principle of anyone being able to raise a concern or register a complaint in respect of or in relation to their child/children at its academies or the institution itself.
- 1.2 The Trust will always strive to recognise when a complaint or any expression of dissatisfaction is being made and treat it in accordance with this complaints policy. However, the Trust does encourage all complainants to adopt the procedures set out in this complaints policy in order to allow the Trust to deal with any such complaints in the fairest way using the most appropriate means available to it.
- 1.3 The Trust is committed to an open and honest approach to complaints handling. This document is the only complaints policy for use by our staff, students and parents.
- 1.4 In investigating a complaint we will take every care to safeguard privacy and confidentiality. However, any member of staff mentioned in a complaint will be made aware of the issues raised and will have an opportunity to comment on them. In addition, it may be necessary to share the complaint with other parties within the Trust likely to be helpful in providing a solution.
- 1.5 It may be appropriate to resolve things with one or more of the following:
  - An explanation
  - An acknowledgement that the complaint is valid in whole or in part and / or that a situation could have been handled differently or better [this is not the same as an admission of negligence]
  - An assurance and explanation of the steps that have been taken/will be taken to help to ensure that it will not happen again
  - An apology
  - An undertaking to review Trust procedures in light of the complaint.

### 2 Objectives of the complaints procedure

- a) To promote high quality education and care for students;
- b) To develop and maintain harmonious and respectful relationships between parents and carers and the Trust;
- c) To respond promptly and effectively to concerns or complaints made by parents and carers/others;
- d) To encourage resolution of problems by **informal** means wherever possible;
- e) To be easily **accessible**;
- f) To be **simple** to understand and use;
- g) To be **impartial**;
- h) To be **non-contentious**;
- i) To allow **swift** handling with established **time limits** for action and keeping people informed of the progress;
- j) To respect people's desire for **confidentiality**;
- k) To address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary.

### **3 Complaints that result in staff capability or disciplinary action**

- 3.1 If at any formal stage of a complaint it is determined that staff capability or disciplinary proceedings are necessary to resolve an issue, the details of this action will remain confidential to the Chief Executive Officer and Principal. The complainant is entitled to be informed that action is being taken. However, they are not entitled to participate in these proceedings or receive any detail about them.

### **4 Social media**

- 4.1 In order for complaints to be resolved as quickly and fairly as possible, we request that complainants do not discuss complaints publicly via social media. Complaints will be dealt with in confidence for those involved and we expect complainants to also observe confidentiality.

### **5 Anonymous complaints**

- 5.1 The Trust will not normally investigate anonymous complaints. However, the Principal or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

### **6 Time scales**

- 6.1 Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The Trust reserves the right not to accept complaints received outside of this time frame, but will consider complaints made outside of this time frame if exceptional circumstances apply.

### **7 Complaints received outside of term time**

- 7.1 The Trust will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **8 How to raise a concern or make a complaint**

- 8.1 The first point of contact with the Trust concerning your child should be his/ her/ their Form Tutor/ Plan Manager.
- 8.2 The first point of contact with the Trust concerning anything else should be the Trust's Complaints Manager at: [admin@gosforthgroup.org.uk](mailto:admin@gosforthgroup.org.uk)
- 8.3 The Trust considers any concerns very seriously and most problems can be resolved at the initial stage, however, it is important that you tell us as soon as possible.

### **9 STAGE 1 - Procedure to register a concern (Informal)**

- 9.1 The Trust will always seek to agree an informal resolution whenever appropriate with each and every complainant.
- 9.2 The Trust recognises that many concerns may easily be dealt with by way of a telephone call or face to face conversation. If a complainant would like their concerns to be initially dealt with in this informal way, the complainant should make this known to the Trust. The Trust will then liaise with the complainant's usual first point of contact to make such arrangements.
- 9.3 If the concern cannot be dealt with straightaway, the complainant's first point of contact will acknowledge the concerns and will provide the complainant with an anticipated time in which it will be addressed.

- 9.4 Formal procedures will only need to be invoked when initial attempts to resolve the issue have been unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 9.5 To raise your concern/ complaint informally, please send an email, with the subject line of **Complaint**, to your academy's main office/reception outlining the information below. You will find your academy's main office/reception email address on the **Contact Us** page of the academy website. Alternatively, you may choose to write a letter, in which case please address it to the Principal of the relevant academy. Either way, please include:
- Your name and preferred method of contact and details
  - Student's name and form group if you are a Parent/Carer
  - Who you are raising your complaint/concern with (name of staff from whom you would like a response)
  - An outline of your complaint/concern

## 10 STAGE 2 - Formal complaint

- 10.1 If the concern has not been resolved at the informal stage, and you wish to continue to pursue your complaint, the formal complaint process must be followed. Only one individual complaint may be considered at one time.
- 10.2 For a complaint/concern to be formally investigated by an appropriate person from the Trust, you must raise this with the Complaints Manager in writing outlining the information below. To do this via email, please send an email, with the subject line of **Formal Complaint**, to the following email address: [admin@gosforthgroup.org.uk](mailto:admin@gosforthgroup.org.uk). Please include the following details in the email:
- Your name and preferred method of contact and details
  - Student's name and form group if you are a Parent/Carer
  - To whom your initial complaint was raised and when
  - The academy's response to your complaint
  - Why you remain dissatisfied with the response to your complaint
  - An outline of your complaint
  - The outcome you seek to your complaint. You are asked to note that this is your preference only, and places no restriction on the outcome of the operation of the Complaints Procedure.
- 10.3 If you do not have access to email and/or would prefer to write to us, you can collect a **Complaints Form (Stage 2 – Formal Complaint)** from your Academy reception and complete and return this back to a member of staff at reception.
- 10.4 If the matter is about:
- the day to day running of the Academy/Trust;
  - the interpretation of Academy/Trust policies; or
  - the actions or inactions of staff at the Academy/Trust
- It will be investigated by the CEO, Principal or a senior member of staff nominated by them.
- 10.5 If the matter is about:
- Academy/ Trust policies as determined by the Trustees;
  - the actions or inactions of the Trustees; or
  - the CEO
- It will be investigated by the Chair of Trustees, or a person nominated by the Chair of Trustees.
- 10.6 Where possible the person carrying out the investigation will respond to the complaint within 15 Trust working days of receiving the complaint, providing the complainant with an investigation report. If there is a delay it will be communicated to the complainant together with the reasons for the delay.

10.7 If it becomes apparent during the investigation that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. The complainant will be notified if this is the case.

## 11 STAGE 3 – Review panel

11.1 If not satisfied with the result from Stage 2, the complainant may choose to refer the complaint to Stage 3 of the procedure. This must be done in writing to the Complaints Manager with the subject line **Formal Complaint Stage 3** at: [admin@gosforthgroup.org.uk](mailto:admin@gosforthgroup.org.uk) within 15 Trust working days of the completion of Stage 2. If you do not have access to email and/or would prefer to write to us, please address your letter to: The Trust Complaints Manager, c/o Gosforth Academy, Knightsbridge, Great North Road, Gosforth, Newcastle, NE3 2JH. Please make it clear in your letter that you wish to proceed to **Stage 3 of the complaints procedure**.

11.2 At this Stage, the complaint will be considered by a panel.

- If Stage 2 was investigated by the CEO, Principal or a senior member of staff nominated by them, Stage 3 will be carried out by a panel of two Trustees plus a person independent of the management and running of the school / trust. The panel will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. They will make a final decision on behalf of the Trustees. The general principle is that the Trust should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the Trust's procedure. If they have any concerns, they may ask the CEO or Principal to reopen the investigation. The Trust will endeavour to provide a final written decision within 15 Trust working days. The complainant will be kept informed of any delay and the reason for such delay.
- When Stage 2 has been investigated by the Chair of Trustees or a person nominated by them, Stage 3 will be carried out by a panel of two other Trustees plus a person independent of the management and running of the school / trust, who will meet to consider the complaint and make a final decision on behalf of the Trustees.

### 11.3 Where the complaint is considered by a panel

11.3.1 This will comprise two Trustees and a person independent of the management and running of the school / trust who have no detailed prior knowledge of the complaint, or connection with the complainant.

11.3.2 The complainant will be informed of the identities of the panel members no later than 10 Trust working days before the meeting. If the complainant has a genuine concern with regards to the identities of the panel members they should make these known to the Trust no later than five Trust working days before the meeting together with the reason for concerns. In these circumstances, it may be necessary for the Trust to reschedule the meeting to address such concerns and/or to arrange alternative panel members.

11.3.3 The meeting will normally take place within 15 Trust working days of the request. If this is not feasible the complainant will be contacted and provided with sufficient detail to understand the reason for the delay. There is the opportunity to submit written evidence regarding the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if desired, to put forward the case. The Principal / CEO will be given the same opportunities.

11.3.4 At the meeting, each individual will have the opportunity to make statements, present evidence and have the opportunity to ask / reply to questions. Once the complainant and Trust representative have presented their cases they will be asked to leave for the panel to consider its findings and make recommendations.

11.3.5 The panel will write to the complainant [and, where relevant, the person/s complained about] with its conclusion within 15 Trust working days of the meeting. The complainant will be kept informed of any delay and the reason for such delay.

## **11.4 The decision of the panel is final**

11.4.1 The decision of the panel is the last step in the Trust process. Internal Trust matters are the responsibility of the Trustees. The local authority can only provide advice to parents/carers in respect of best practice procedures when dealing with complaints.

## **12 Referring complaints on completion of the Trust's procedures**

12.1 If you remain dissatisfied with the outcome of the complaints procedure, you can refer your complaint to the Education and Skills Funding Agency (ESFA) at [Complain about a school: State schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complain-about-a-school-state-schools), or by writing to:

Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

12.2 The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a Trust's decision about a complaint. However it will look into:

- Whether there was undue delay
- Whether the Trust failed to comply with its own complaints procedure
- Whether the Trust was in breach of its funding agreement with the Secretary of State
- Whether the Trust has failed to comply with any other legal obligation

12.3 If the Trust did not deal with the complaint properly, it will be asked to reinvestigate the complaint. If the Trust's procedure is found not to meet regulations, the Trust will be asked to correct its procedure accordingly.

## **13 Dealing with persistent complaints**

13.1 In the case of vexatious or persistent complaints, the Complaints Manager will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. Gosforth Group reserves the right to deny investigation of any complaints which are considered to be vexatious, malicious, unsubstantiated, unfounded and/or those relating to a previous complaint which has already been investigated.

## **14 How we will collect and process your personal data**

14.1 We will collect and process the data you provide to us when raising a complaint/concern, including your name, contact details and details of the complaint/concern (including any sensitive/confidential information), only for the purposes of dealing with your complaint/concern. This information will be held by the Trust and will be made available to the investigator/panel members for use as evidence or supporting documentation as appropriate. As part of the investigation into the complaint/concern it may be necessary to share this information with other Trust staff on a need to know basis.

## **15 Record keeping**

15.1 The Trust 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. Records will include copies of letters, emails and notes relating to meetings and phone calls. The written records will be in accordance with Part 7 of the Education [Independent School Standards] Regulations 2014, sub paragraph [e] with details of whether they were resolved following a formal procedure, or progression to a panel hearing.

15.2 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. Findings and recommendations of the panel will be available on the school premises for inspection by the proprietor and the Principal / CEO. This is except where the Secretary of State [or someone acting on his/her 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 2018 and the UK General Data Protection Regulation (UK GDPR), or where material must be made available during a school inspection under Section 109 of the 2008 Act where access is requested.

- 15.3 Records of complaints will be held for three years from the completion of a particular complaints procedure.
- 15.4 Details of the complaint, including the names of individuals involved, will not be shared with all of the Trustees in case a review panel needs to be organised at a later date.
- 15.5 Where Trustees are aware of the substance of the complaint before the review panel stage, the Trust will [where reasonably practicable] arrange for an entirely independent panel to hear the complaint. This will be sourced from another Academy Trust or via Newcastle City Council Trustees Services.
- 15.6 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.

## **16 Monitoring and review**

- 16.1 The Trustees monitor the Complaints Procedure annually, in order to ensure that all complaints are handled properly. Trustees track the number and nature of complaints on an annual basis and consider the need for any changes to the procedure as well as reviewing any underlying issues that may need attention.
- 16.2 The Trust will record the action it takes as a result of complaints (regardless of whether they are upheld). The Trustees will determine whether there are any improvements or changes the Trust can make to its procedures or practice to help prevent similar events happening in future.
- 16.3 The complaints records are logged.

## **17 Availability**

- 17.1 A copy of this procedure is available to all parents on request.

## **18 What if I have a concern/complaint about any of the following?**

- Children with special educational needs
- Disciplinary issues relating to members of staff
- Allegations of abuse
- Anonymous complaints
- Services provided by other providers who use school premises
- Safeguarding
- Freedom of Information and Subject Access requests
- Admissions and exclusion appeals
- Provision of collective worship and religious observance

There are existing statutory bodies, personnel or other procedures for dealing with the above issues.

**Approved by the Board of Trustees on 21 March 2024**