



Complaints Policy

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**Policy Reviewed and Adopted by
Governing Body:**

Date of Next Review: 30th March 2020

Responsible Officer: Business Manager: R Foxtan

Introduction

We strive to provide a good education for all our children and the Principal and staff work very hard to build positive relationships with all parents. The Academy, however, is obliged to establish a structure whereby complaints by parents, carers and guardians can be heard and resolved. These procedures are not intended to replace normal discussions regarding day to day problems and concerns as they arise. It is only when a complainant remains dissatisfied with the outcome of such discussions that further steps need to be taken.

We deal with all complaints in accordance with procedures laid down by the EFA (Educational Funding Agency). The policy complies with the, Education and Skills Funding Agency (ESFA) guidelines and the Education (Independent School Standards, England) Regulations 2010. If the Academy itself cannot resolve a complaint, those concerned may refer the matter to the EFA (see additional information).

Aims

We aim to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as quickly as possible. We aim to resolve any complaint through dialogue and mutual understanding, and in all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed and then resolved.

1. What is a concern or complaint?

- (a) A concern or complaint is defined as an expression of dissatisfaction about the conduct/ operation of the academy, the conduct of, actions or lack of actions by a member of staff/ the Governing Body/ an individual governor, unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.
- (b) Concerns or complaints relating to any of the following are not covered by this policy, as separate procedures apply.
- Child Protection
 - Collective Worship
 - Freedom of Information Access
 - Pupil Exclusions
 - Academy Admissions
 - Services provided by other organisations on the Academy site or through the Academy
 - Sex Education
 - Staff grievance
 - Statutory assessment for special educational needs
 - Whistle-blowing by an employee
- (c) Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures.

The Complaints Process

In dealing with complaints the academy will take account of its public sector equality duty and have due regard of the need to: - eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The procedure to be followed in the event of a complaint being made is summarised in the following stages:

Stage 1 – Informal Action

Complainant should discuss concerns with the appropriate staff member.

If the staff member is unable to deal immediately with the matter, a clear note is made, including complainant's name, contact details, and date, and the complainant is contacted as soon as the matter has been investigated. If no satisfactory solution is found, the matter is then passed onto the relevant phase leaders for their consideration and action. Vice Principals may also be involved at this stage.

However, if that does not resolve the problem then the matter should be brought to the attention of the Principal (complaints and concerns about governors should be made to the Chair of Governors).

The Principal (or Chair of Governors) will then seek to resolve the matter informally and will:

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in ten Academy days. Most complaints are normally resolved at this stage. However a complainant wishing to proceed to the formal stage of the procedure should notify, in writing, the Principal/ Chair of Governors within twenty Academy days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- criminal activity which may require the involvement of the police
- financial or accounting irregularities
- abuse of children

Stage 2 - Formal Action

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage the Principal (or Chair of Governors as appropriate) will:

- ensure the complainant is aware of the procedures;
- require a written record of the complaint (someone else may write this on behalf of the complainant);
- formally acknowledge the complaint;
- seek advice as appropriate;
- if the complaint concerns a member of staff (or governor) inform them and provide them with a copy of the complaint;
- arrange for a full investigation of the complaint;
- prepare a report as a result of the investigation and consider actions to be taken;
- advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee (Stage 3) within twenty Academy days;

- make a record of the complaint and its outcome; this should be retained by the Academy

This stage would normally be expected to take no more than twenty Academy days. The Governing Body should be informed in general terms of all formal complaints.

Stage 3 – Appeals Panel

The Complaints Appeals Committee will consider complaints where the Principal (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. Any appeal must be made in writing to the Clerk to the Governing Body (the academy will advise the complainant of the contact details). The Committee will be convened by the Clerk to the Complaints Appeals Committee. The Committee will consist of at least three people who are not directly involved in the matters detailed in the complaint and at least one committee member will be independent of the management and running of the academy. The complainant has the right to be accompanied and to attend the final panel hearing stage should they wish. They should notify the clerk to the committee should this be their intent. The committee will:

- consider the written materials
- consider the complaint and the Principal's (or Chair's) action
- invite the Principal or Chair of Governors (as appropriate) and the complainant to the meeting;
- seek advice and support as necessary.

At the end of their consideration the Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Principal/Chair of Governors for further consideration;
- where upheld, decide on appropriate action;
- advise the complainant and the Principal of their decision;
- advise the complainant of any further action they may wish to take if they remain dissatisfied.

The Clerk to the Committee will arrange for the Academy's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee for the matter to be reported to the Governing Body.

This stage would normally be expected to take no more than twenty Academy days.

In cases where the matter has been referred back for further consideration the Complaints Appeals Committee will be reconvened.

Additional information

If, after following all stages of this complaints procedure you do not think that your complaint has been resolved, you can send your complaint to the Education Funding Agency (EFA) via the Department for Education, using the on-line form provided.

The Education Funding Agency (EFA) will normally only consider a complaint about an academy after the academy's own complaints procedure has been exhausted. The EFA cannot review or overturn decisions about complaints made in respect of academies. The EFA can only investigate whether the academy considered the complaint appropriately. If the EFA finds that an academy did not consider a complaint appropriately it can request the academy to re-consider the complaint or amend its complaints procedure.

Complaints should be sent by post to Academies Central Unit (Academy Complaints), Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH or by visiting the EFA's Schools Complaint Form online.

Withdrawal of a complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

Complaints about a governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant. Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee. Complaints about the Chair of Governors must be referred to the Clerk to Governors who would arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Body.

Serious allegations or complaints

If the allegations refer to criminal activity which may require the involvement of the Police, the Principal should inform the Chair of Governors and seek appropriate advice as necessary.

If the allegations relate to financial or accounting irregularities involving misuse of public funds or assets or any circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Principal should inform the Chair of Governors and seek the advice of the academy's auditors.

If the allegations relate to the abuse of children, the Principal should seek the advice of the Senior Designated Person for Child Protection in the academy and/or the Local Authority Designated Officer. Serious allegations of this nature must be referred under Child Protection Procedures.

Monitoring and Evaluation

The Governing Body will monitor the complaints procedure to ensure all complaints are handled appropriately.

The Academy will log all **formal** complaints received and how they are resolved, and Governors will examine this log annually.

Governors will ensure this policy is made available to all parents online (and when requested from the Academy office) so that they can be properly informed about the complaints process.

This policy will be reviewed on an annual basis.

Date of Policy: Agreed by Governors February 2017 (amended April 2017)