



Complaints Policy

**September
2018**

Review –
September 2020

General Principles

Complaints about the following issues have their own, separate, procedures and **cannot be considered under this document**:

- ◆ Matters that are the responsibility of the Local Authority
- ◆ Conduct of staff at the school
- ◆ Content of a statutory statement of special educational needs
- ◆ Pupil admissions
- ◆ Pupil exclusions
- ◆ The national curriculum and related issues including religious education
- ◆ Child protection

Anonymous Complaints

Anonymous complaints will not be acknowledged, investigated or dealt with in any way by the academy.

Resolving Complaints

At each stage in the procedure, the academy and complainant will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, 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 academy policies in light of the complaint.

It would be useful if complainants consider what actions they feel might resolve the problem at any stage. It is important to recognise that an admission that the academy could have handled the situation better is not the same as an admission of negligence. To be effective, the application of the procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this clarification can create a positive atmosphere in which to discuss any outstanding issues.

Complaints will be considered, and resolved, as quickly and efficiently as possible. In exceptional circumstances however, a detailed investigation may need to be undertaken, in which case the complainants will be kept informed of the expected time frame.

It is proposed that this procedure will be invoked when initial attempts to resolve the issues are unsuccessful and the complainant remains dissatisfied and wishes to take the matter further.

The Stages of Complaints

- ◆ Stage one: complaint heard by staff member or complaints co-ordinator
- ◆ Stage two: complaint heard by Headteacher;
- ◆ Stage three: complaint heard by Governing Body's Complaints Appeal Panel;

An unsatisfied complainant can always take a complaint to the next stage.

A **stage one** complaint may be made in person, by telephone, or in writing.

Initially a **stage two** complaint may be made in person or by telephone to the Headteacher. If the complaint is not resolved at this stage, it must be put in writing to the Headteacher. A written response will be provided.

In **stage three**, if the complainant is not satisfied with the Headteacher's response, the complainant needs to write to the Chair of Governors within 10 days c/o the school giving details of the complaint. The Chair will contact the Governance Clerk who will convene a Governing Body Complaints Appeal Committee. This committee will be a minimum of three members, chosen from the Academy Council/ Board of Directors together with a designated person who is independent of the school. The complainant and/or their representative will be invited to attend.

Notification of the Panel's Decision

The chair of the panel, via the Clerk, will ensure that the complainant is notified of the panel's decision, in writing, as soon as is reasonably possible.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Academy Council/ Board of Directors will inform them in writing that the procedure has been exhausted and that the matter is now closed.

Procedural Information for Staff and Governors

Complaints Procedure

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether the complaint will escalate.

The academy will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints co-ordinator will refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person in academy and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Headteacher

The complaint progresses to Stage Two if the complainant is dissatisfied with the way the complaint was handled at Stage One, or the response that was received. The Head will investigate the complaint further and collate any relevant information. The Headteacher should respond to this stage of the complaint in writing, if the complaint has been receiving in writing.

Stage Three: Complaint Heard by the Complaints Appeal Panel of the Governing Bodies

If the complainant is not satisfied with the Headteacher's response, the complainant needs to write to the Chair of Governors within 10 days c/o the school giving details of the complaint. The Chair will contact the Governance Clerk who will convene a Governing Body Complaints Appeal Panel. The complainant and/or their representative will be invited to attend.

The governors' appeal hearing is the last stage of the complaints process and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Academy Council/ Board of Directors at any stage, as this could compromise the impartiality of any panel members set up for a disciplinary hearing against a member of staff following a serious complaint. The Academy Council/Board of Directors will have nominated a number of members with delegated powers to hear complaints, and have set out the terms of reference for the committee.

The Remit of The Complaints Appeal Panel

The panel can:

- ◆ dismiss the complaint in whole or in part;
- ◆ uphold the complaint in whole or in part;
- ◆ decide on the appropriate action to be taken to resolve the complaint;
- ◆ recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

It is important that the appeal 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 hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the academy and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing 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 or her complaint has been taken seriously.

Notification of the Panel's Decision

The chair of the panel, via the Clerk, will ensure that the complainant is notified of the panel's decision, in writing, as soon as is reasonably possible.