



### What is a Complaint?

A complaint is an expression of dissatisfaction, whether made orally or in writing. This Policy addresses general complaints. Complaints about the curriculum, collective worship, racist incidents, provision for children with additional educational needs, admissions and exclusions are dealt with under separate procedures.

### How does the Staged Approach work?

The staged approach is designed to ensure that every effort is made to deal with complaints informally at Academy level in partnership with the complainant. The formal stages should only be triggered where reasonable attempts have been made at an informal resolution and the complainant remains dissatisfied.

- Stage 1 is the informal stage. In the case of a complaint by a Parent/Guardian, the Achievement Coordinator will respond to the first approach and the majority of issues should be resolved at this stage. In the case of a complaint by a member of the public, the Office Manager should be the first point of contact. A decision will then be made as to which member of staff is best placed to deal with the complaint;
- Stage 2 is a formal stage involving the Principal;
- Stage 3 and 4 refers the formal complaint to the Chair of Governors and the Governing Body.

The Policy is designed to manage all complaints but complaints vary in their nature and complexity. Therefore, the Academy will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it. Our principal aim is to deal with complaints:

- Openly;
- Fairly;
- Promptly;
- Without prejudice.

### Our procedure for dealing with complaints will:

- Be made available for consultation through a reference on the Academy website and through a verifiable written request for a copy of the Policy;
- Be simple to understand and follow;
- Be focused on outcomes;
- Have established time limits for action;
- Keep people informed at all stages;
- Where necessary, respect people's desire for confidentiality;
- Be carefully monitored and evaluated;
- Provide information to the Academy's Senior Leadership Team so that the Academy's procedures can be monitored.

### Guidance on each stage of the Procedure

There are four stages to this procedure:

- Stage 1 is informal;
- Stages 2, 3, and 4 are formal.

Any person expressing continued dissatisfaction will be advised of the next stage in the procedure.

### **Stage One: Discuss concerns informally with the relevant Achievement Co-ordinator**

- Complainants are advised to speak to their child's Achievement Co-ordinator so everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage;
- If the complainant indicates that he/she would have difficulty in discussing a complaint with a particular member of staff, the complaint may be referred to another member of staff. This member of staff may not necessarily be more senior;
- The member of staff who is dealing with the complaint should ensure that the complainant is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality;
- A brief record of any telephone calls, meetings and agreed actions should always be kept; if either the complainant or staff member feels the matter needs to be taken further, the Principal should be contacted.

### **Stage Two: Formalising the complaint and lodging it with the Principal**

- More serious concerns which remain unresolved at the end of Stage 1 should be referred to the Principal. The Principal may choose to delegate the complaint for further investigation to a member of the Senior Leadership Team. Any meetings that are held with the complainant in relation to the complaint should be arranged with 10 Academy days. However, more complex complaints may require an extension to this time limit. The formal complaint should be lodged in writing to the Principal;
- A log of all contacts relating to the complaint should be kept;
- The Principal or member of the Senior Leadership Team investigating the complaint should communicate the outcome to the complainant in writing. Any agreed actions should be put in writing within 10 Academy days of notification of the outcome.
- If, as a result of the investigation, issues remain unresolved or arise relating to staff discipline or capability, details should remain confidential and be directed to the Principal. However, the complainant should be informed that the Academy has taken appropriate follow-up action.

### **Stage Three: Formal Complaint referred to the Chair of Governors**

- The Chair of Governors will only proceed with this formal stage of the Complaints Procedure if a complaint has been received in writing addressed to the Chair of Governors and all previous stages have been exhausted;
- The complaint should be made within 10 Academy days of the response at Stage 2 and set out why the complainant remains dissatisfied;
- Acknowledgement of the written complaint should normally be sent by the Clerk to the Governing Body to the Chair of Governors and to the complainant within 5 Academy days;
- It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that the Chair of Governors does not consider complaints at an earlier stage; • The Chair of Governors will notify the Principal and the complainant as to whether they will be invited to attend a meeting. Alternatively, the Chair of Governors may decide to consider written material only. Both parties must be treated equally. For example, if the Principal is invited to a meeting the complainant must also be invited. The Chair of Governors will usually consider the complaint within 15 Academy days of notification by the Clerk to the Governing Body;
- If the complaint relates to a staff disciplinary or capability matter about which the Principal has already taken action, the Chair of Governors should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures;
- If the complaint relates to a student matter, parents will be notified of their right to be accompanied at a meeting if the Chair of Governors decides to hold one;
- After the Chair of Governors has considered the complaint a copy of the findings and recommendations will be sent to the complainant, the person complained about and the Principal within 10 Academy days.
- Any complaint relating to the Principal must be raised in the first instance with the Chair of Governors (or Vice-Chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Governor to investigate in the same way as in the first stage of the formal process outlined above.

#### **Stage Four: Formal Complaint referred to the Board of Governors**

- The Board of Governors will only proceed with this formal stage of the Complaints Procedure if they have received a complaint in writing addressed to the Board of Governors and all previous stages have been exhausted;
- The complaint should be made within 10 Academy days of the response at Stage 3 and set out why the complainant remains dissatisfied;
- Acknowledgement of the written complaint should normally be sent by the Clerk to the Governing Body within 5 Academy days;
- The Clerk will invite the Academy to respond in writing to the complaint. The Academy will do this within 15 Academy days and at the end of that period (whether or not the Academy has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Panel. Whenever possible, the meeting will be held within 15 Academy days of the end of the Academy's response time.
- The Governing Body will convene a panel of three Governors who have not previously been involved in the complaint and at least one person who is independent of the management and running of the Academy. It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that Governors do not consider complaints at an earlier stage;
- Governors who have previously been involved in the complaint and the Chair of Governors may not be members of the Panel;
- The panel will be provided with copies of the complaint and all other documentation and at least 5 working days notice of the hearing will be given to all concerned. All parties involved may be accompanied, if desired, by a friend or representative and may call witnesses.
- The meeting is not a court case and will be as informal as circumstances allow. However the structure of the hearing will be as follows:
  - The complainant will have the opportunity to present her/his reasons for dissatisfaction and to call witnesses.
  - The panel and the Academy will have an opportunity to question the complainant and witnesses.
  - The Academy will have the opportunity to respond to the complainant and to call witnesses if appropriate.
  - The Panel and the complainant will have the opportunity to question the Academy and any witnesses.
  - Both the complainant and the Academy will have the opportunity to make final comments and summarise their position to the Panel.
- All but the members of the Panel and the Clerk will withdraw while the panel decision is reached. The panel may make findings and recommendations and a copy of those findings and recommendations will be sent to the Principal and complainant. The findings should include an explanation of the conclusion, the reason for it, and any action taken, including details of any request made of those complained against to take particular action in respect of the complaint.
- The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 5 Academy days, and the Clerk to the Governors will notify the complainant, the person complained about, the Principal and the Chair of Governors;
- If the complaint relates to a staff disciplinary or capability matter about which the Principal has already taken action the Panel should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures;
- If the complaint relates to a student matter, parents will be notified of their right to be accompanied at the panel hearing
- This is the final stage in the Academy's Complaints Policy General Principles
- Written records will be kept of all complaints at every stage of the process (even the informal stage). Copies of letters of complaint from parents sent to the Chair of Governors and the response will be sent to the Clerk to the Governors to ensure that an audit trail is maintained.
- All written records will be stored securely and kept confidential.

#### **Policy Review**

*The effective date of this policy is September 2014*

*The policy was approved by the Governing Body on 9 July 2015*