



## Complaints Policy

### Procedure on the Handling of Concerns and Complaints

This policy applies to all concerns and complaints other than those relating to Child Protection issues or to cases where parents/carers wish to appeal against a decision by the Head Teacher that a student be required to leave the Academy and if the parents/carers seek a Governors' Review of that decision. Separate procedures apply to each of these exceptional cases.

Timescales: We aim to resolve any complaints in a timely manner. Timescales for each stage of the Complaints Procedure are set out below in the relevant paragraphs. For the purposes of this policy, a "working day" is defined as a weekday during term time, when the Academy is open. The definition of "working day" excludes weekends and Bank Holidays. For the avoidance of doubt, term dates are published on the Academy's website, and information about term dates is made available to parents/carers and students periodically. The Trust will, in exceptional cases where complaints are considered to be serial or unreasonable, follow the guidelines outlined in Appendix 4 - Procedure for Managing Serial and Unreasonable Complaints.

### Rationale

The aim of this policy is to ensure that a concern or complaint by a parent/carer (including a prospective parent) is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents'/carers' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in the light of circumstances.

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our Academy culture. We intend that parents/carers and students should never feel, or be made to feel that a complaint will be taken amiss or will adversely affect a student or his/her opportunities at Academy. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

### Stage 1: Concerns and Difficulties

1. Concerns: We expect that most concerns, where a parent/carer seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching



or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the Academy's systems or equipment, or a billing error.

2. Notification: Please raise the concern initially as follows:

2.1 Education issues - if the matter relates to the classroom, the curriculum or special educational needs please speak or write to the Form Tutor, Head of Department, SENCO or Deputy Head Teacher (Curriculum), as appropriate.

2.2 Pastoral care - for concerns relating to matters outside the classroom, please speak or write to the Form Tutor, Head of Year or Deputy Head Teacher (Pastoral), as appropriate.

2.3 Disciplinary matters - a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it then, if not resolved, with the relevant Head of Year or Deputy Head Teacher (Pastoral).

2.4 Financial and administrative matters - a query relating to fees or extras or to other administrative matters should be raised either with the Finance Office and/or the Business Manager.

2.5 Should an informal concern or complaint be raised with a member of staff other than those designated at item 2.1 to 2.4 above, he or she is asked to redirect it to the appropriate individual under this policy.

3. Unresolved concerns: A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

4. Record of concerns: In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

### Stage 2: Formal complaints

5. Notification: An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the Academy's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details for the attention of the Head Teacher. Should a formal written complaint be received by another member of the Academy's staff, he or she will immediately pass it to the Head Teacher.

6. Acknowledgement: Your complaint will be acknowledged by telephone or in writing normally within five working days of receipt during term time. We will consider complaints made outside of term time to have been received on the first school day after the holiday period. The acknowledgement will indicate the action

that is being taken and the likely timescale for resolution.

7. Investigation and resolution: The Head Teacher may deal with the matter personally or may ask a senior member of staff to act as "investigator" and/or may involve one or more Deputy Head Teachers. The investigator may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. Following appropriate investigation, the Head Teacher or relevant Deputy Head Teacher will then notify the parent/carer in writing of the decision and the reasons for it.

8. Outcome: The aim of the Head Teacher or Deputy Head Teacher would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within ten working days from the receipt of the complaint.

9. Record of complaints. The Head Teacher and relevant Deputy Head Teacher are responsible for keeping a log of all complaints received by or referred to them under this stage of the procedure. The log should provide a brief written summary of the name of the complainant, the date the complaint was received, the matter complained of, and the manner and date of its resolution. Written records will also be kept of any meetings and interviews held in relation to the complaint.

### Stage 3: Reference to the Executive Headteacher/Chair of Local Governing Body

10. Notification: If you are dissatisfied with the decision of the Head Teacher under Stage 2, your complaint may be reviewed by writing to the Executive Headteacher or in the case where the Executive Headteacher is also the Headteacher the chair of the Local Governing Body. You should write to the Executive Headteacher/Chair of the Local Governing Body within five working days of receiving the decision. Your letter to the Executive Headteacher/Chair of the Local Governing Body should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged within five working days during term time, indicating the action that is being taken and the likely timescale.

11. Action by the Executive Headteacher/Chair of the Local Governing Body: The Executive Headteacher will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the Executive Headteacher/Chair of the Local Governing Body is satisfied that he/she has established all the material facts and relevant policies, so far as is practicable, he/she will notify you in writing of his/her decision and the reasons for it. He/she will aim to provide a response within fifteen working days of receiving your letter but will inform the parents/carers if this timescale will need to be increased. If you are not satisfied with the Executive Headteacher/Chair of the Local Governing Body's decision you may ask for the complaint to be referred to a Review Panel, by writing to the Chair of Trustees (see paragraph 16 below).



#### Stage 4: Reference to the Review Panel

12. Notification: Only if you have been through the earlier stages of this procedure, and are dissatisfied with the decision that has been notified to you by the Executive Headteacher/Chair of the Local Governing Body, you may request a final hearing by a Review Panel. To request a hearing before the Review Panel, please write to the Chair of Trustees within five working days of the decision you wish to appeal. Your request will only be considered if you have completed the relevant procedures at Stages 1-3. Please ensure that copies of all relevant documents accompany your letter to the Chair and state all the grounds for your complaint and the outcome that you desire. The Chair will acknowledge your request in writing within five working days.

13. Review Panel: The review will be undertaken by a panel of at least three members appointed on behalf of the Chair of Trustees. The Panel members will have no detailed previous knowledge of the case, will not include the Executive Headteacher or chair of Local Governing Body, and one member will be independent of the management and running of the Academy. Fair consideration will be given to any bona fide objection to a particular member of the Panel.

14. Convening the Panel: The Chair of Trustees will convene the Review Panel as soon as is reasonably practicable but the Panel will not normally sit during Academy holidays.

15. Notice of Panel meeting: Every effort will be made to enable the Panel hearing to take place within ten working days of the receipt of your request. As soon as reasonably practical and in any event at least five working days before the hearing, the Chair of Trustees will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.

16. Attendance: You may be asked to attend the panel meeting and may be accompanied by one other person such as a relative, teacher, or friend, who should not be legally qualified. Your child may attend part or all of the meeting at the discretion of the Chair of the Panel. The meeting will be minuted in order to keep a record of the proceedings. Copies of additional documents you wish the Panel to consider should be sent to the Chair of the Review Panel at least three clear days prior to the hearing. The chair of the panel may invite the decision maker at stage 3 to explain their decision as part of the process. Should there be sufficient evidence neither complainant or decision maker will be required to present the evidence.

17. The Chair of the Review Panel will conduct the meeting in such a way as to ensure that all evidence is explored.

18. Adjournment: The Chair of the Review Panel may at his/her discretion adjourn the meeting for further investigation of any relevant issue. This may include an

adjournment to take legal advice.

19. Decision: After due consideration of the matters explored at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally if present at the meeting or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within ten working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be made available for inspection on the Academy premises by the Review Panel.

20. Confidentiality: A written record will be kept of all complaints, and of whether they are resolved at Stage 1 or proceed to a panel hearing. The number of complaints registered under the formal procedure during the preceding Academy year will be supplied to parents/carers on request. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 25(k) of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2010.

This is where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspection or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each school inspection. In exceptional circumstances some details will be retained for a further period as necessary.

## Review

This policy will be reviewed annually and amended as necessary.

Date of this policy: January 2015

Date of last review: March 2019

Date of next review: March 2020

Signature of Executive Headteacher:

Date:

Signature of Chair of Trustees:

Date:



## **Who to contact**

The Academy is inspected by Ofsted, an independent organisation which reports to the Government on schools. Parents/carers and students have the right to contact an inspector if they have a complaint concerning a student's welfare. Ofsted will usually expect parents/carers to have followed the Academy's formal complaints procedure before contacting them. However, you can report your concerns to Ofsted on 08456 404040 or you can write to the Ofsted Regional Office.

Redden Court School relevant contact details:

Head Teacher: Mr Paul Ward

Chair of Local Governing Body: Mrs Tina Murray

The Royal Liberty School relevant contact details:

Head Teacher: Mrs April Saunders

Chair of Local Governing Body: Mr Mike Smith

Sanders School

Head Teacher: Mr Stuart Brooks

Chair of Local Governing Body: Mr Neil Yeomans

## The Remit of the Complaints Appeal Panel

The Chair of the Local Governing Body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- ~ drawing up its procedures;
- ~ hearing individual appeals;
- ~ making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the Academy's complaints procedure. The panel may choose their own chair.

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.

There are several points which any governor sitting on a complaints panel needs to remember:

a. 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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. One member of the panel must be independent of the Academy.

b. 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.

c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does



not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent/carer is the complainant, it would be helpful to give the parent/carer the opportunity to say which parts of the hearing, if any, the child needs to attend.

e. The people sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Chair of the Local Governing Body or the Nominated Governor**

The nominated governor role:

- ~ check that the correct procedure has been followed;
- ~ if a hearing is appropriate, arrange the panel;

### **The Role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring that:

- ~ the remit of the panel is explained to the parties and each party has the opportunity of
  - putting their case without undue interruption;
- ~ the issues are addressed;
- ~ key findings of fact are made;
- ~ parents/carers and others who may not be used to speaking at such a hearing are put at ease;
- ~ the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- ~ the panel is open minded and acting independently;
- ~ no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- ~ each side is given the opportunity to state their case and ask questions;
- ~ written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

### **Notification of the Panel's Decision**

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

### **Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give



their evidence

- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken
- The Head Teacher is then invited to explain the Academy's actions and be followed by the Academy's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the Academy's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.



## Complaint Form

Please complete and return to:

- Caroline Morris (P.A. to the Head Teacher) at Redden Court School
- Carmen Jones (P.A. to the Head Teacher) at The Royal Liberty School
- Vicky Murphy (P.A. to the Head Teacher) at Sanders School

who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:



## Procedure for Managing Serial and Unreasonable Complaints

The SFAET is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The SFAET defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence



- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact any school within the Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any school within the Trust.