



# Policy Document

## Complaints 2016-19

(by parents or external parties)



<b>Document title</b>				
<b>COMPLAINTS</b>				
<b>Status</b>			<b>Committee/Board</b>	
Statutory Policy			Full Board	
<b>Review date</b>			<b>Date adopted</b>	
3 years June 2019			23 June 2016	
<b>For public access on request</b> <i>Tick as appropriate</i>			<b>Lead Academy Staff/Director</b>	
Post		Online		The Principal
<b>Notes</b>				

## PROCEDURE ON THE HANDLING OF CONCERNS AND COMPLAINTS

**Application:** This policy applies to all concerns and complaints other than those relating to Child Protection issues or to cases where parents wish to appeal against a decision by the Principal that a student is excluded from the Academy and if the parents seek a Directors' 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 and students periodically.

### Policy Aim and Statement

**Aim:** The aim of this policy is to ensure that a concern or complaint 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 also helps to promote parents' 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.

**Policy statement:** 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 the public 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 the Academy. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

### Framework of Principles

Our complaints procedure will:

- Encourage resolution of problems by **informal** means wherever possible
- Be **clear** on the issues that will be dealt with under the formal complaints process
- Be easily **accessible** and **publicised**
- Be **simple** to understand and use
- Be **impartial**
- Be **non-adversarial**
- Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress
- Ensure a **fair** investigation by an independent person where necessary
- Respect people's desire for **confidentiality**
- Address the points at issue and provide an **effective** response and **appropriate** redress, where necessary
- Provide **information** to the school's senior management team so that services can be improved.

## Stage 1: Concerns and Difficulties

- 1 **Concerns:** We expect that most concerns, or where a parent 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:** Concerns should be raised in the first instance with the relevant member of staff, depending on the type of complaint:
  - 2.1 **Education issues** – if the matter relates to the classroom, the curriculum or Special Educational Needs, the complainant can speak or write to the Tutor, Teacher, Subject Leader or member of Senior Leadership Team (SLT), as appropriate.
  - 2.2 **Pastoral care** – for concerns relating to matters outside the classroom, the complainant can speak or write to the Tutor, Head of Year or relevant member of SLT, 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 Head of Year or member of Senior Leadership Team.
  - 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 or with the Business Manager.
  - 2.5 Should an informal concern or complaint be raised with a member of staff or Director 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 notification of the issue can be taken forward as a formal complaint in accordance with Stage 2 below.

## Stage 2: Formal complaints

- 4 **Notification:** An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of Huish Episcopi Academy's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Principal or Vice Principal. Should a formal written complaint be received by another member of the Academy's staff, he or she will immediately pass it to the Principal or, in his absence, the Vice Principal.
- 5 **Acknowledgement** Complaints will be acknowledged by telephone or in writing normally within five working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.
- 6 **Investigation and resolution:** The Principal or Vice Principal 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 Directors (but not the Chair). The investigator may request

additional information from the complainant and will probably wish to speak in person to them and to others who have knowledge of the circumstances. Following appropriate investigation, the Principal or Vice Principal will then notify the complainant of the decision in writing and the reasons for it.

- 7 **Outcome:** The aim of the Principal or Vice Principal is to inform any complainant of the outcome of an investigation within one calendar month from the receipt of the complaint. Please note that any complaint received during an Academy holiday may take longer to resolve owing to the unavailability of personnel.
- 8 **Record of complaints.** The Principal or Vice Principal is 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 subject of the complaint, 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: Referral to the Chair**

- 9 **Notification:** If a complainant is dissatisfied with the decision of the Principal or Vice Principal under Stage 2, the complaint may be renewed in writing to the Chair of the Board of Directors. This should be done within five working days of the decision being received. The letter to the Chair should give full details of the complaint and enclose all relevant documents and full contact details. Letters will normally be acknowledged within five working days during term time, with an indication of the action that is being taken and the likely timescale.
- 10 **Action by the Chair:** The Chair will arrange for the complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the Chair is satisfied that he/she has established all the material facts and relevant policies, so far as is practicable, he/she will notify the complainant 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 the letter but will inform the complainant if this timescale needs to be increased.

### **Stage 4: Referral to the Review Panel**

- 11 **Notification:** Once these three stages have been completed, if the complainant remains dissatisfied a request can be made for the complaint to be referred to the Review Panel. This should be done in writing to the Clerk to the Board of Directors. Any appeal should be made within five working days of the Stage 3 decision but the Panel will take into account any exceptional circumstances which make this impossible. A request will only be considered if the complaint has been through Stages 1 to 3. The appeal should explain why the complainant still believes that his/her concerns have not been addressed and describe the outcome that is desired. The Clerk will acknowledge any request for a final appeal in writing within five working days.
- 12 **Review Panel:** The review will be undertaken by a panel of at least three Directors appointed on behalf of the Academy Board and selected by the Clerk. The Panel members will have no detailed previous knowledge of the case, will not include the Chair of the Academy Board, and at least 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.

- 13 **Convening the Panel:** The Clerk will convene the Review Panel as soon as is reasonably practicable but the Panel will not normally sit during Academy holidays. The meeting may be held on neutral ground if appropriate.
- 14 **Notice of hearing:** Every effort will be made to enable the Panel hearing to take place within ten working days of the receipt of a request. As soon as reasonably practical and in any event at least five working days before the hearing, the Clerk will send notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.
- 15 **Attendance:** The complainant will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher or friend, but not a legal representative. If the complainant is a parent, a child aged 11+ may attend part or all of the hearing at the discretion of the Chair of the panel. The Clerk or nominated deputy will also attend the hearing in order to keep a record of the proceedings. Copies of additional documents for the Panel's consideration should be sent to the Clerk at least three clear days before the hearing.
- 16 The Chair of the Review Panel will conduct the hearing in such a way as to ensure that all those present have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 17 **Adjournment:** The Chair of the Panel may at his/her discretion adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 18 **Decision:** After due consideration of the matters discussed at the hearing, if there is no resolution, the Panel will reach a decision. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and in any event will be sent in writing within ten working days.
- 19 **Confidentiality:** A written record will be kept of all formal complaints, and of whether they are resolved at Stage 2 or proceed to other stages. The number of complaints registered under the formal procedure during the preceding Academy year will be supplied to parents 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 College Standards) (England) Regulations 2010, that is where access is requested by the Secretary of State or where disclosure is required in the course of an Academy's inspection or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each Academy inspection. In exceptional circumstances some details will be retained for a further period as necessary.

Approved by Directors: 23 June 2016  
Date for review (3 years): June 2019