

## COMPLAINTS PROCEDURE POLICY

### Introduction

St Peter's CE Academy is committed to maintaining a positive partnership with parents and carers. Occasionally something happens which may make students or parents and carers unhappy. Then, it is important that parents and carers feel able to raise concerns in the most effective way.

The vast majority of complaints and concerns can be resolved informally either in person, by telephone, email or in writing.

Complaints should be dealt with quickly, but if the complaint is complicated or requires detailed investigation, it may take a longer time to sort out. The Academy will keep parents or carers informed on how the complaint is being addressed and when they can expect to hear the outcome.

This Policy will apply to most general complaints received by the Academy. It is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal. These include; admissions decisions, certain decisions relating to formal assessment of special educational needs and decisions to permanently exclude a child. Detailed guidance on legal appeals is available on the Academy website ([www.manorschool.northants.sch.uk](http://www.manorschool.northants.sch.uk)) or the Department of Education ([www.education.gov.uk](http://www.education.gov.uk)).

When a complaint concerns the Academy's curriculum or its religious education, a separate procedure applies. This can be found on the Academy website (see above).

### The Policy

#### **Stage 1 – Initial Complaint**

- i. It is important parents or carers contact the Academy and speak in the first instance to the student's class teacher, Phase Leaders or Senior Leaders. Parents or carers may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion.
- ii. Parents or carers should be given an opportunity to meet and discuss their concern with the appropriate member of staff. There may be occasions when it is appropriate or helpful for someone to accompany or act on behalf of a parent.
- iii. This discussion should aim to clarify the nature of the concern and assure them that the Academy wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent is seeking.

- iv. If the member of staff first contacted cannot deal with the matter immediately, s/he should make a firm arrangement to deal with it at a future date or refer the matter to the Principal or another appropriate member of staff. In either case a note of the name, date and contact details of the complainant should be taken. The first contact should check later to make sure the referral has been successful.
- v. The member of staff dealing with the concern should make sure that the parent or carer is clear what action (if any) or monitoring of the situation has been agreed. This should be confirmed in writing either by email or letter to clarify the outcome or next steps within 10 days of the concern first being raised.
- vi. When the parent or carer feels unhappy or that no satisfactory solution has been found, they should be informed that they will need to consider raising a formal complaint in writing to the Principal. This will invoke stage 2 of the complaints procedure.

### **Stage 2 – Formal Complaint to the Principal**

- i. The Principal or their nominated senior member of staff will determine who has responsibility for responding to and investigating a formal complaint. Individuals on the governing body should not become involved at this stage to avoid prejudicing their possible future involvement in the Complaints procedure.
- ii. The Principal should acknowledge the complaint orally or in writing within three working days of receipt giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally, this should be within ten working days. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.
- iii. The Principal will consider providing an opportunity to meet with the complainant to supplement any information already given. The complainant should, if she/he wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf. Interpreting facilities should be made available if required.
- iv. If the complaint is against a member of staff, the Principal should talk to the staff member against whom the complaint has been made. The member of staff should be given the opportunity to be accompanied by a work colleague, Trade Union Representative or a Professional Association colleague.
- v. If necessary, the Principal will interview witnesses and take statements from those involved.
- vi. Written records of meetings and interviews should be kept. Once all the relevant facts have been established, the Principal will produce a written response to the complainant. The Principal may wish at this stage to meet with the complainant to discuss/resolve the matter
- vii. The complainant should be advised in this letter that if they remain unhappy with the outcome, s/he may appeal to a panel of governors. The complainant should notify the Chair of Governors within 10 working days of receiving the letter detailing the outcome of the complaint. The letter should detail the outcome the complainant is hoping for.

**Complaints against the Principal** – If the complaint is wholly or mainly about the Principal, the Governing Body will need to consider the complaint. The Chair of the Governing Body will investigate the complaint, arrange to meet with the complainant and invite the Principal to respond. Based on the evidence collected, a resolution will be sought and the complainant informed of the outcome.

### **Stage 3 – Appeal to the Governing Body**

- i. The Governing Body should establish a Committee to deal with complaints, by nominating a pool of five governors from which three can be drawn for any hearing. Committee members should have had no prior involvement with the complaint. Generally, the Chair of Governors is not on the panel as s/he may be involved at the earlier stage. The Governing body should have regard to the advantages of having a mix of types of governor on the panel and be sensitive to issues of equal opportunity in the composition of the panel.
- ii. Individual governors should not get involved in looking into complaints before this stage to avoid prejudicing their potential involvement. If individual governors are approached by parents or others with complaints, they should refer the complainant to the Academy's complaints procedure, making the necessary introduction to a member of staff or Principal if appropriate.
- iii. Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response so far. In this situation it is perhaps helpful for the governing body to view any complaint as being against the Academy rather than an individual staff member whose actions may have led to the original complaint.
- iv. The aim of the appeal to a Committee of Governors is to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action, and to satisfy the complainant that their complaint has been taken seriously.
- v. Upon receipt of a written request from the complainant for the complaint to proceed to Stage Three, the Clerk to the Governing Body should write acknowledging receipt of the written request, informing the complainant that it will be heard by a committee of the Governing Body within **15 working days of receipt**.
- vi. The clerk should convene a meeting of the committee at a time which is convenient for the complainant and the Academy.
- vii. The clerk should ensure that the complainant, Principal and any other witnesses are given at least five working days' notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant should also inform him/her of their right to be accompanied by a friend/relative who can act as an advocate. The chair should ensure that interpretation facilities for the hearing are offered and made available if required. The letter should set out the procedure for the conduct of the hearing and the complainant's right to submit further written evidence to the committee.
- viii. The clerk should invite the Principal to attend the hearing and to submit a written report for the committee in response to the complaint. The Principal may also invite the Chair of Governors or any other members of staff directly involved in matters

raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the Chair of the Committee.

- ix. All relevant documents should be received by all parties, (including the complainant) at least five working days before the meeting of the panel. This provides adequate opportunity to read them prior to the start of the meeting.
- x. At this stage in the process, the Chair of the Appeal Committee may wish to seek external advice and a consultant or external adviser may be invited to attend the meeting to advise the committee.
- xi. Proper minutes of the meeting should be taken.
- xii. The chair of the panel should try to ensure that the proceedings are sufficiently informal as possible and that the complainant and other participants feel at ease.
- xiii. At the conclusion of the representations and questions, the chair should explain that the panel will consider the issues and write to both parties with their **decision or judgement within 3 days**.
- xiv. All except for the Committee of Governors and any advisers should then withdraw and the Committee should consider the evidence. This should include a judgement about the validity of the complaint, appropriate action to be taken by the Academy and/or the parent or carer, and where appropriate, recommendations on changes to the Academy's systems or procedures to ensure similar problems do not arise in the future.
- xv. The Academy should ensure that a copy of all correspondence and notes is kept confidentially on file in the school. This should be separate from students' personal records.
- xvi. The broad outcomes recommended by the Committee can be reported to the next full governing body or appropriate committee with the identity of all those taking part kept confidential. The governing body should monitor implementation of the recommendations.
- xvii. A summary of all complaints made to the Academy will be reported to the Governing Body on an annual basis.
- xviii. The complainant should be advised that if s/he is dissatisfied with the response, s/he has the right to take the matter further by complaining to the Education Funding Agency (EFA).

## 6. **Complaints to the Education Funding Agency (EFA)**

The EFA will normally only consider a complaint about an Academy when the Academy's own complaints procedure has been exhausted. The EFA cannot review or overturn decisions about complaints made by Academies. It can only investigate whether the Academy considered the complaint appropriately.

Complaints to the EFA should be sent:

By email to [academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk)

By post to Academies Central Unit (Academy Complaints), Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.

Complaints about Academies will be dealt with by the Academies Group in the EFA.

Key Manager  
Ratified by Directors  
Review Dates:  
Location of Policy:

**Principal**  
**October 2016**  
**Summer 2017**  
**P:\STAFF\Policy Documents**  
**<http://www.manorschool.northants.sch.uk>**

Access to Policy:  
Policy Context:

**Open**  
**This Policy applies to all staff and students of the Academy and to those others offered access to such Academy resources.**