

WOOLGROVE SCHOOL SPECIAL NEEDS ACADEMY



Complaints Policy

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Parental Complaints Policy

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1. Principles

1.1 We believe the support and confidence of parents to be essential to the pupils' welfare and the Academy welcomes comments on the service it provides to pupils and parents. Feedback enables us to clarify any misunderstandings that may arise and gives us the opportunity to review our procedures if necessary.

1.2 The Academy's complaints policy allows parents'/carers complaints about academy issues to be dealt with efficiently and sensitively, and at the appropriate level.

1.3 Complaints can cover a wide variety of matters that concern parents/carers. The Academy expects all parental /carer complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence.

2. Aims

2.1 The policy aims to ensure that:

- all complaints from parents (and also students and others) are dealt with as quickly and sensitively as possible and by the person best able to do so
- as far as possible all concerns should be dealt with as informally as possible
- a parent, student or other complainant should be able to expect to have a response to their complaint within two school days of having made the complaint. This may be an acknowledgement of the complaint, if not the final response.

3. Types of Concerns and Complaints

3.1 The majority of complaints received by the Academy are likely to fall into the following categories:

- financial and administrative
- academic (curriculum, unsatisfactory teaching, too much/too little support, concerns about lack of progress etc.)
- pastoral (discipline/indiscipline, inappropriate sanctions, bullying, unhappiness of child, etc.)
- child protection (allegations against staff, handling of sensitive issues)
- health and safety

3.2 A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to put their case. They should be offered support in responding to any investigation into a complaint.

4. Responsibilities

4.1 Academy Governing Body

The Governing Body are responsible for:

- monitoring the Academy policy, procedures, and guidelines;
- hearing and deciding on appeals at "Stage 3" (see clause 6.1)
- receiving reports; and
- advising the Headteacher

The Academy's Governing Body will monitor the level and nature of complaints and review the outcomes annually or earlier if so determined by the Chair.

4.2 The Chair of the Academy's Governing Body is responsible for:

- receiving complaints at **Stage 3** of the complaints procedure (see clause 6);
- nominating a panel from the Academy Governors to hear the appeal; and
- checking that the correct procedure is followed.

4.3 The Chair of the Panel at **Stage 3** is responsible for ensuring that:

- the parties understand the procedure
- complainants are put at ease
- the issues are addressed
- key findings of fact are established
- the hearing is conducted as informally as possible
- the panel is open-minded and acts independently
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material is seen by all parties
- related Child Protection and Data Protection rules are observed and maintained.

4.4 Secretary to the Academy's Governing Body

The Academy's Governing Body Secretary will act as the reference point for the complainant at **Stage 3** of the complaints procedure. The Academy's Governing Body Secretary must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings
- notify the parties of the decision

4.5 Headteacher

The Headteacher is responsible for:

- the overall internal management of the procedures

- hearing complaints at **Stage 2** of the complaints procedure
- ensuring that the procedures are monitored and reviewed and reports made to the Academy's Governing Body
- the efficient operation and management of the policy and procedures
- training staff on how to deal appropriately with complaints
- keeping parents/carers and others informed of the procedures
- compiling reports for the Chair of the Governing Body as required and
- may be required to hear and/or resolve complaints at **Stage 1** of the procedures

4.7 Finance and Business Manager

The Finance and Business Manager is responsible for:

- administrative, environmental and financial queries and complaints

4.8 Heads of Department and other middle managers

Heads of department and other middle managers are responsible for:

- dealing with and where possible resolving complaints about academic matters, teaching methods pastoral care and pupil progress at Stage 1 of the procedures

4.9 Named Senior Member of Staff

Staff may be named for specific child protection issues.

4.10 All staff

All staff are responsible for:

- listening to any concerns brought to them by parents and students
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff
- for informing the relevant staff of the concerns according to procedures in **7.1**
- passing any complaints received from other people who are not parents or students to the Complaints Coordinator.

5. Information for Parents

5.1 The Academy will include in its prospectus advice to parents that any complaints they may have should be made in accordance with the Academy's Complaints Policy. The Complaints Policy should be available from the Academy.

5.2 If parents/carers or other complainants wish to register a formal complaint they should be asked to complete the Academy's Complaint Form (**Appendix 1**) and return it to the school addressed to the Headteacher marked 'Confidential, Addressee Only' for **Stage 2**

- If the complainant is dissatisfied with the action of the Headteacher, or the Headteacher has been very closely involved informally, the Chair of Governors should carry out all the Stage Two procedures, with support if necessary from another governor, and with professional advice if necessary. Advice is also available from the Education Funding Agency.

Individuals on the governing body should not become involved at this stage to avoid prejudicing their possible future involvement.

At **Stage 3** parents/carers should address their complaint to the Chair of the Academy's Governing Body.

6. Formal Procedure

Every attempt will be made to resolve complaints informally, but if this fails the following procedure will be followed:

Stage 1 Complaint heard by staff member (who is not subject of the complaint)

Stage 2 Complaint heard by Principal **or** the Chair of the Academy's Governing Body

Stage 3 Complaint referred to Academy's Governing Body

Complaint is made in writing to the Chair of the Academy's Governing Body and heard by a panel from the Academy Governing Body nominated by the Chair.

7. Guidelines

All academy staff and Academy Governors should be conversant with the following procedures.

7.1 Stage 1

i) Complaint heard by member of staff

All staff should listen carefully and patiently to parents' or carers' complaints, recognising that it is a matter of great concern to the parent or carer.

If a simple verbal complaint is made it might be possible in most cases to resolve it immediately. Therefore, if the matter is within the competence of the member of staff to resolve quickly this should be done. Complaints should be recorded using the complaints form (**Appendix 1**) as necessary.

In more serious cases, or where a member of staff is uncertain, parents/carers should always be asked to put their complaint in writing. They may wish to use the Academy's Complaints form (**Appendix 1**). This is to ensure that there is no conflict

in determining what the complaint consists of and the action taken by members of Academy staff.

If the complaint cannot be resolved by the member of staff, he/she may wish to seek the advice of a senior member of staff, and refer the complaint to them. In doing so, the member of staff should ensure that details of the complaint are recorded and passed on using the Academy's Complaints form. If possible, the senior member of staff should attempt to resolve the complaint at this stage. However, if a resolution cannot be found the staff member should inform the complainant of their right to appeal to the Headteacher or Chair of the Academy's Governing Body (**Stage 2**). The senior member of staff should then inform the Headteacher of the action taken.

ii) Child Protection

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the Academy staff, the named person responsible for child protection complaints at the Academy should be informed.

iii) Time limits

At Stage 1 the Academy should aim to resolve the complaint within two school days of receiving it. Where this is not possible, the Academy staff member dealing with the complaint will inform relevant parties of the action being taken, and when it is expected to be resolved.

7.2 Stage 2

Complaint heard by Headteacher or Chair of the Academy's Governing Body

The Headteacher or Chair of the Academy's Governing Body, will decide the outcome at this stage. The Headteacher or Chair must normally resolve the matter within five school days of receiving notification of the complaint.

In exceptional circumstances a longer time scale can be agreed, either by agreement with all parties or by a decision of the Chair of the Academy's Governing Body if no agreement is reached.

Individuals on the governing body should not become involved at this stage to avoid prejudicing their possible future involvement.

If the Headteacher or Chair is unable to resolve the issue, it is open to the complainant to make representations to the Academy's Governing Body (**Stage 3**).

7.3 Stage 3

Appeals to the Academy's Governing Body

Complainants who are not satisfied by the Headteacher's decision can make representations to the Academy's Governing Body.

The complaint must write to the Chair of the Academy's Governing Body giving details of the complaint. The Chair will nominate a panel of three Academy Governors who were not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school.

The hearing must be within 15 school days of the Chair receiving notice of the complaint.

The complainant must be told of their right to be accompanied by a friend, and where relevant translations/ interpreters must be arranged by the Secretary of the Academy's Governing Body in consultation with the parties.

The nominated Governor panel will make its own procedures, and will agree these with the Academy's Governing Body Chair, who will report them to the next Academy Governors' meeting.

The Governor panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

The Governor panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The Governor panel can:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint
- **or**
- recommend changes to the Academy's systems/procedures

The Academy Governor Panel's decision is binding on all parties.

- The decision at this stage must be communicated to the parties within three working days of the hearing.

8. Vexatious Complaints

8.1 If the complainant remains dissatisfied after all stages have been properly followed, the Chair of the Academy's Governing Body is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed.

- Complainants that are not satisfied with the way in which their complaint has been handled by the academy, are to be made aware of the Education Funding Agency's complaints system which can be found at the following:

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>

9. Investigating Complaints

9.1 The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

10. Resolving Complaints

10.1 At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. 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 **and an**
- undertaking to review Academy policies in light of the complaint

10.2 Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Academy could have handled the situation better is not the same as an admission of negligence.

10.3 At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

11. Reporting and Recording

11.1 It is important for staff to use the Academy's Complaints Form (**Appendix 1**) so

that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

11.2 The Headteacher will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

12. Equal Opportunities

In implementing this policy, the Academy's Governing Body, Headteacher and staff must take account of the Academy's Equal Opportunities Policy.

13. Monitoring and Review

13.1 The Headteacher will report to staff from time to time, and to the Academy's Governing Body annually or earlier if the Chair so determines, on the number and type of complaints received and their outcomes.

14. The Role of the Education Funding Agency

- The primary responsibility for resolving complaints rests with the governing body. (1998 Education Act, Part II, Chapter 3. Para. 39[1]) The Education Funding Agency role in academy complaints is to provide advice to all parties.
- When 'The Education Funding Agency' receives a general complaint which does not come under one of the areas covered by statutory requirements, nor is obviously concerned with child abuse or staff disciplinary matters the complainant will be referred to the academy's complaints procedure. The complainant will be advised to contact the Principal to take the matter further. If the complaint has already involved the Principal but has not achieved a satisfactory resolution from the perspective of the complainant, the Education Funding Agency officer may seek to resolve issues between the Principal and the complainant. If this is not possible or successful the complainant will be referred to the Chair of Governors. In this situation the Principal will be notified of the referral and details of the complaint.

Education Funding Agency staff will give advice to the Principal, governors and parents on the use of complaints procedures. For serious or complex complaints this will be through a Senior Education Officer.

Where possible the Education Funding Agency will provide advice and appropriate support to complaints panels of governing bodies, including attendance of an officer at meetings to hear complaints.

Appendix 1

Complaint Form

Please complete and return to the Complaints Coordinator who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name:
Your relationship to the pupil:
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Mobile telephone number:
Please give details of your complaint:
What action, if any, have you already taken to try and resolve the 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 paper work? If so, please give details:
Signature:
Date: