

# COMPLAINTS POLICY

September 2016

Signature:

Date:

## Complaints Policy:

- The Academy seeks to resolve problems informally wherever possible. An effective response and appropriate redress is provided swiftly and simply. The Academy aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved

1. **Policy statement** The Academy seeks to resolve problems informally wherever possible. An effective response and appropriate redress is provided swiftly and simply. The Academy aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved

## 2. Dealing with complaints

- a) At each stage, the person investigating the complaint will ensure that they:
- Clarify the nature of the complaint and unresolved issues
  - 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
  - Keep notes of any interview(s) or telephone conversations.
- b) At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:
- An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)
  - An apology
  - An explanation
  - An assurance and an explanation of the steps that have been taken to ensure it will not happen again
  - An undertaking to review academy procedures in light of the complaint

## 3. Records

All complaints should be referred to a member of the Senior Leadership Team who with the assistance of the Administrative team will record and file all complaints, including informal complaints. In most cases complaints should be referred directly to the Principal in the first instance and the Principal will then delegate to a member of SLT if appropriate. The investigating member of staff is responsible for ensuring that complaints and outcomes are recorded. All records will be kept in a locked filing cabinet.

- Records relating to individual complaints are confidential, except where the secretary of state or a statutory body conducting an inspection requests access to them.
- The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis as a standing agenda item.

## 4. Formal complaints procedure

If someone wants to make a formal complaint, they must follow the following procedure:

- a) The complainant will write to the Academy with details of:
- The complaint
  - Any attempts they made to raise/resolve the complaint (who they spoke to and when)
  - Actions they feel might resolve the problem
  - Any staff they would prefer not to discuss the issue with.

A member of SLT (not the subject of the complaint) will respond within five working days of a complaint being lodged.

- b) If the complainant is not satisfied with this response, they must inform the Academy in writing, with details of their previous communication and the reason why they are still not satisfied. The Principal or member of the SLT will respond within five working days.
- c) If the complainant is still not satisfied, they can appeal to the Governing Body (see below). The governors will convene a complaints panel within 21 working days.

## 5. Appeals

### (a) Constitution of the panel

The Governing Body will convene a complaints panel:

- The panel will consist of at least three people.
- At least one of the members of the panel must be independent of the management and running of the academy and not a member of the Governing Body.
- No member can have been directly involved in previous consideration of the complaint.
- The panel nominates a chair.
- Individual complaints must not be heard by the whole Governing Body at any stage.

### (b) Remit of the panel

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

### (c) Proceedings of the panel

- The appeal will be closed to the public
- The complainant may attend and be accompanied
- Witnesses will only be required to attend for the part of the hearing in which they give their evidence
- The panel may ask questions at any point
- The panel will deliberate in private
- The panel will inform the complainants of the decision as quickly as possible and in no more than three working days
- The decision of the appeal panel is final

## 6. Dealing with Persistent Complaints

In the case of persistent complaints, the chair of the Governing Body will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed, as per the guidance from the DfE, which states:

“If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied.

If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform him/her in writing that the procedure has been exhausted and that the matter is now closed.”

## 7. Responsible Person & Review

The person in charge of co-ordinating the response to complaints at the Academy is the Principal. The policy will be reviewed annually by the Governing Body