

April 2016

## 1 Introduction

- 1.1 We have a strong commitment towards working in positive partnership with the whole school community. An academy is a busy place where there are many interactions between pupils, parents, carers and staff as part of the everyday life of the academy. We have an ethos of respecting the rights of all members of the community and as part of our curriculum and teaching we work to instil this in our children. From time to time something may go wrong, or you may think we can do something better.
- 1.2 We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. Where an individual may feel that an issue has not been dealt with appropriately it is important, for all involved, that there is a clear and transparent process for a complaint to be looked into and followed up.
- 1.3 It is important for parents to decide whether their complaint is worthy of using the Focus-Trust complaint procedure. It will be worth asking the question, 'Is this a concern or a complaint?' The answer to this question should help a parent know how best to deal with the issue. Whatever the answer, parents should aim to deal with issues as informally as possible; ideally face to face with a member of staff at an appropriate time.

## 2 Why do we need guidance and monitoring of school complaints?

- 2.1 Parents and pupils are stakeholders in the educational system. If they are unhappy about something, there should be a clear system and route for them to make the academy aware of their concerns – even if all that entails is an explanation of why something happens in the way that it does.
- 2.2 We need to ensure that we comply with requirements about handling complaints. These are contained in The Education (Independent School Standards) (England) Regulations 2010.

## 3 What issues should this procedure not deal with?

- 3.1 This procedure will be relied upon in respect of all complaints by parents/carers against the Academy except in the following areas, where separate policies exist:
  - Child protection allegations
  - Exclusions
  - Admission appeals
  - Appeals relating to internal assessment decisions for external qualifications
  - Provision of collective worship and religious education
  - Complaints about the statementing process for children with special educational needs
  - Disciplinary issues relating to members of staff
  - Allegations of abuse

#### **4 Resolving issues and complaints**

4.1 When there are particular concerns which parents/carers wish to share, the Focus-Trust encourages the parent/carer to contact the Academy by telephone or email/letter so that the matter can be dealt with *quickly and informally*.

4.2 For clarity:

There is a difference between a concern and a complaint.

- Concerns ought to be handled, if at all possible, without the need for formal procedures.
- Complaints will be dealt with openly, fairly, promptly and without prejudice.

#### **5 Stages of complaint**

5.1 Stages 1–2 are informal.

Stages 3–4 are formal and should only be triggered in exceptional circumstances.

Complainants who have missed out stages in the procedure will be referred back to the appropriate stage.

5.2 Stage 1 – informal:

Meet with, write or speak to the relevant member of staff, their immediate manager or a senior manager in an attempt to resolve the issue.

5.3 Stage 2 – informal:

If not satisfied after Stage 1, speak to the Principal. He/she will make a record of your complaint, investigate the complaint and aim to respond in writing within *ten (10) working days*.

5.4 Stage 3 – formal:

If not satisfied after Stage 2, write to the Chair of the Local Governing Body using the attached Complaints Form. The Chair of Governors will convene a Complaints Panel of at least three (3) people who were not directly involved in the matters detailed in the complaint.

You will receive an acknowledgement of the receipt of your Complaint Form

5.5 The Complaints Panel

This will comprise of two Governors and one person independent of the management and running of the Academy, and they will aim to hear the complaint within *fifteen (15) working days*. Neither the Principal nor the Chair of the Governing Body can be members of the panel as they will already have been involved in handling the complaint. This panel needs to be as independent of the complaint as possible and can include governors from academies within the Focus-Trust.

Note that the fifteen (15) working days is the intention and may not always be possible.

5.6 The Complaints Panel is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions. You will be entitled to attend the panel hearing and be accompanied\* if you so wish. The panel will give a decision in writing within 5 working days of the hearing to you. A copy of the decision will be forwarded to any persons who are the subject of your complaint and the Principal.

\* You can be accompanied by another person who can provide support but has no right to address the Complaints Panel.

## 5.7 Stage 4 - formal

Complaints about the Academy failing to comply with this procedure or failing to comply with any obligation in its Funding Agreement with the Secretary of State for Education may be made to the Education Funding Agency (EFA). The EFA will consider complaints that fall into any of the following three categories:

- Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
- Where the academy is in breach of its funding agreement with the Secretary of State
- Where an academy has failed to comply with any other legal obligation

The EFA will normally only consider complaints when every stage of the above process has been completed.

5.8 Further details can be found at:

<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school>

## 6. **Complaints relating to the Principal**

6.1 If your complaint relates to the Principal, speak to them directly and follow the same procedure.

6.2 Stage 1 – arrange to speak to the Principal informally

6.3 Stage 2 – if not satisfied after Stage 1, arrange to meet and speak to the Chair of the Local Governing Body

6.4 Stage 3.1 – if you not satisfied after Stage 2, write formally to the Chair of the Local Governing Body on the attached Complaints Form. He/she will arrange for the complaint to be investigated and aim to respond within *ten (10) working days*.

6.5 Stage 3.2 – if you are not satisfied after Stage 3.1, write to the Chief Executive of the Focus-Trust the attached Complaints Form. The Chief Executive will follow the same process as outlined above and convene a Complaints Panel.

6.6 Stage 4 – contact the EFA as outlined above.

## 7 **Making complaints**

7.1 Follow the stages outlined above.

7.2 Please note that any person contacting the Trust office will be directed back to the academy to commence the complaints procedure.

## 8 **Investigating complaints**

8.1 The Principal will co-ordinate the response to complaints which go past Stage 1 by requesting notes and further information from the individuals involved, as well as by communicating with the complainant. A written record of all complaints and documentation relation to their handling under this procedure will be kept confidentially but may be inspected where appropriate by the Secretary of State or any relevant inspection body.

8.2 In matters relating to the Principal, the Chair of Governors will coordinate the response to complaints which go past Stage 1.

**9 Vexatious complaints**

There will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Principal will inform them in writing that the procedure has been exhausted and that the matter is now closed.

**10 Publicising this procedure**

This procedure will be made available on academy websites.

**11 Monitoring, evaluation and review**

The Trust board will review this procedure at least every two years and assess its implementation and effectiveness.

<b>Title</b>	Complaints Procedure
<b>Aim</b>	To outline the Focus-Trust's procedure for handling complaints raised by parents/carers.
<b>Related documents</b>	Data Protection Freedom of Information
<b>Date for implementation</b>	01.01.2013
<b>Approved by</b>	Trust Board – 01.03.14
<b>Updated</b>	April 2016
<b>Date of next review</b>	As required

# Complaint Form

(Only use at Stage 3 and 4 of the procedure)

Name of academy	
Your name	
Pupil's name	
Your relationship to pupil	
Your address and postcode	
Your daytime telephone number	
Your evening telephone number	
Your email address	

<p><b>Your complaint is...</b> (Include details of actions already taken by the academy to try to resolve the situation)</p>
<p><b>What action have you already taken to try and resolve your complaint?</b> (Who did you speak to and what was the response?) <i>If you have not taken any action, please speak to the Principal.</i></p>

**What would you like as an outcome from your complaint?**

**Are you attaching any paperwork? If so, give details here**

<b>Your signature</b>	
<b>Date</b>	

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000.

Please complete and return to the school office in a sealed envelope addressed to the Principal.

*Academy Office use;*

*Date received .....*

*Date acknowledgement of complaint sent .....*

*Principal / Chair of Governors .....*