



Compliments, Concerns and Complaints Policy

1. Scope of this policy

- 1.1. This policy sets out the Academy's procedures for dealing with compliments, concerns and complaints relating to the services provided by the Academy.
- 1.2. This policy may be used by anyone who has a compliment, concern or complaint about any aspect of the Academy. This includes parents and carers of pupils, neighbours of the Academy or any other members of the local community.
- 1.3. It does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:
 - Staff grievances or disciplinary procedures
 - Admissions
 - Exclusions
 - Issues related to child protection or criminal investigations
 - Any community facilities or services provided by the Academy
- 1.4. There may be occasions where a concern or complaint gives rise to disciplinary procedures against a staff member which put the procedures detailed in this policy on hold. If and when this occurs, the individual who has a concern or complaint will be informed. Any non-disciplinary aspects of the concern or complaint will continue to be dealt with under this policy.

2. Aims and objectives

- 2.1 The Academy strives to provide an outstanding education for all our children and the Headteacher and other staff work hard to build positive relationships with all children, parents/carers and the wider community.
- 2.2 We always welcome positive feedback about the Academy, its staff and its pupils. However, we recognise that there may be times when an individual may be unhappy with the services provided by the Academy, has a concern relating to the Academy or may want to make a suggestion about how we can improve.
- 2.3 The Academy aims to:
 - Be receptive to genuine expressions of dissatisfaction
 - Encourage the resolution of problems by informal means wherever possible
 - Deal with complaints quickly, proportionately and fairly and within clearly defined time limits
 - Take action as a result of concerns or complaints that helps to improve the quality of the education and training provided by the Academy
 - Take account of the Academy's duty to promote equality and diversity
 - Maintain good working relationships between all people involved with the Academy

3. Compliments procedure

3.1 An individual wishing to make a compliment about a pupil, staff member, team or the Academy can do so either:

- In person to administrative staff, teaching staff, senior teaching staff, Trustees or the Headteacher
- By letter or email to the Headteacher or the Chair of Trustees

3.2 The compliment will be passed on to the relevant individual(s) and their line manager or, in the case of a pupil, their class teacher.

4. Managing Concerns and Complaints

4.1 The Academy strives to resolve all concerns and complaints informally and all matters of concern and complaint should first be raised under Stage 1 of this policy. Only if this informal procedure fails to resolve the matter should a formal complaint be made.

4.2 Any individual with a concern or complaint may be accompanied or represented by a friend or relative at discussions and meetings about the concern or complaint and/or submit formal complaints which have been written by another individual on their behalf.

4.3 At each stage, where a concern or complaint is upheld, in part or in full, it may be appropriate for the Academy 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 issue complained of will not recur
- an explanation of the steps that have been or will be taken to ensure that the issue will not happen again
- an undertaking to review the Academy's policies in light of the concern or complaint

4.4 At each stage, if all or part of a concern or complaint is not upheld or the matter is not resolved to an individual's satisfaction, the individual may either choose to take no further action or to take their concern or complaint to the next stage.

4.5 In general, the time limits and deadlines contained within this policy should be adhered to. If it becomes necessary to alter the time limits and deadlines set out within this policy, the individual with the concern or complaint will be told and given an explanation as to why this has been the case.

4.6 At all stages of the complaints procedure, the following information should be recorded by the Academy in writing:

- The name of the individual with the complaint or concern
- The date and time when the concern or complaint was raised
- The details of the complaint
- The desired outcome of the individual
- How the concern or complaint is investigated (including written records of interviews held)
- Results and conclusions of investigations
- Any action taken
- The individual's response (satisfaction or further pursuit of complaint)

4.7 Records of concerns and complaints should be retained in the administrative office of the Academy for the periods specified in the Academy's policy on record retention and be used by the Academy to improve the Academy's services.

4.8 If, at any stage, the Headteacher or Chair of Trustees feels that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Headteacher or Chair of Trustees may write to the individual to refuse to consider their concern or complaint under this policy and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 5 of this policy.

5. Stage 1: Informal procedure for dealing with concerns and complaints

5.1 An individual can raise informal concerns and complaints with administrative staff, teaching staff, senior teaching staff, Trustees or the Headteacher. If a parent/carer has concerns relating to their child, these should, in the first instance, be discussed with their child's class teacher.

5.2 The member of staff approached about the concern or complaint may share the details of the matter with others to seek further information or to decide on the appropriate action to be taken.

5.3 The matter will be considered and dealt with as quickly and effectively as possible. If requested, the individual who raised the concern or complaint should be informed of any action to be taken to resolve the issue.

5.4 Where an individual feels that a situation has not been resolved, or their concern or complaint is of a sufficiently serious nature, they should make an appointment to discuss the matter informally with the Headteacher.

5.5 The Headteacher will meet with the individual as soon as possible to discuss their concern or complaint. If it is possible, an informal resolution should be reached and the individual who raised the issue should be informed of any action to be taken to resolve the issue.

5.6 Should an individual have a concern about the Headteacher, the steps under 5.4 and 5.5 should, instead, be dealt with by the Chair of Trustees.

6. Stage 2: Formal complaint to the Headteacher

6.1 Only if Stage 1 fails to resolve the matter should a formal complaint be made to the Headteacher. The Academy is not obliged to consider a formal complaint if the Stage 1 informal procedure has not been followed.

6.2 The complainant must submit their complaint to the Headteacher in writing, stating the nature of the complaint and details of how the matter has been dealt with so far. The letter should enclose copies of all supporting documentation.

6.3 The Headteacher should formally acknowledge the complaint within five school days of receipt.

6.4 The Headteacher will investigate the complaint and review any relevant documentation and information. If necessary, the Principal will interview witnesses and take written statements from those involved. When pupils are interviewed, another member of staff should always

attend. The Headteacher may delegate the task of collating information relating to the complaint to another member of staff but not the decision on the action to be taken.

6.5 The Headteacher will provide the complainant with a full written response within ten school days of acknowledging the complaint. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken. The letter should state that if the complainant is dissatisfied with the response and would like to take their complaint further, they should consult this policy.

6.6 Should an individual have a concern or complaint about the Headteacher, Stage 2 should, instead, be dealt with by the Chair of Trustees.

7. Stage 3: Formal complaint to the Chair of Trustees

7.1 Only if Stages 1 and 2 fail to resolve the matter should a formal complaint be made to the Chair of Trustees.

7.2 The complainant must submit their complaint to the Chair of Trustees in writing addressed to the Academy, stating the nature of the complaint and details of how the matter has been dealt with so far. The letter should enclose copies of all supporting documentation.

7.3 The Chair of Trustees should formally acknowledge the complaint within five school days of receipt.

7.4 The Chair of Trustees will investigate the complaint and review any relevant documentation and information. If necessary, the Chair of Trustees will interview witnesses and take written statements from those involved. When pupils are interviewed, another member of staff should always attend.

7.5 The Chair of Trustees will provide the complainant with a full written response within ten school days of acknowledging the complaint. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken. The letter should state that if the complainant is dissatisfied with the response and would like to take their complaint further, they should consult this policy.

7.6 Should the complaint be about the Chair of Trustees or be about the Headteacher and the Chair of Trustees was involved with Stages 1 or 2 of this policy, the letter of complaint should be addressed to the Clerk to the Trustees at the Academy's address, who will arrange for another Trustee to manage this stage of the complaint in the place of the Chair of Trustees.

8. Stage 4: Review by the Complaints Committee

8.1 If the complainant wishes to appeal against a decision made under Stage 3, they should make a written request for a review by the Complaints Committee. This letter should be sent to the Academy, addressed to the Chair of Trustees, within fifteen school days of receipt of the decision letter from the Chair of Trustees under Stage 3. The letter should enclose copies of all supporting documentation and give details (including names and addresses) of any witnesses the complainant intends to call.

8.2 The review will be heard by a Complaints Committee consisting of:

- the Chair of Trustees

- between one and three Trustees who have had no prior involvement in the complaint or the circumstances surrounding it
- an Independent Member, being a person who is independent of the Academy and who does not have any connection with the Academy or with any person employed by the Academy of a kind which might reasonably be taken to raise doubts about their ability to act impartially

8.3 The Chair of Trustees will acknowledge receipt of the appeal letter within five school days of receiving it. This letter will inform the complainant that their complaint will be heard by a Complaints Committee.

8.4 Within fifteen school days of the written complaint being received, the Clerk to Trustees should formally write to the complainant, the Headteacher and any other relevant staff or witnesses and inform them:

- of the date, time and venue of the review
- the aims and objectives of the review and how it will be conducted
- the names of the Complaints Committee members
- the names of any witnesses that will be attending
- that any documentation they wish the Complaints Committee to consider, including signed and dated witness statements, must be returned to the Clerk to Trustees no later than five school days before the review
- that copies of any documentation, including signed and dated witness statements, will be provided to the other party no later than three school days before the review
- of the right for any party to be represented if they wish
- how and when the Complaints Committee will reach their decision

8.5 Subject to the need to deal with complaints quickly, proportionately and fairly, the Clerk to Trustees will use all reasonable endeavours to ensure that the dates and times for the review are convenient to all parties and that the venue and proceedings are accessible.

8.6 Notes will be taken of the meeting by the Clerk to the Trustees or another appropriate third party who has no prior involvement in the complaint or the circumstances surrounding it.

8.7 The review should allow each party involved to explain their understanding or interpretation of events and for other parties to question them. The review will, usually operate according to the following format:

- The Chair of Trustees will introduce all parties to one another and explain the principles, objectives and format of the review
- The complainant will be given the opportunity to explain their complaint
- The Headteacher and the Complaints Committee will be allowed to ask the complainant questions
- The Headteacher will be given an opportunity to explain the Academy's official response, interpretation or view about the complaint
- The complainant and Complaints Committee will be allowed to question the Headteacher
- Every party will be given the opportunity to call witnesses and question witnesses called by other parties
- The Headteacher and the complainant will both be given the chance to make final statements

8.8 After hearing all the evidence, the Complaints Committee will consider their decision and inform both parties of their decision in writing within five school days.

8.9 The Complaints Committee can:

- Request further information from the complainant or the Headteacher to assist them in making their decision
- 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 reoccur

8.10 Should the complaint be about the Chair of Trustees or be about the Headteacher and the Chair of Trustees was involved with Stages 1, 2 or 3 of this policy, the letter of complaint should be addressed to the Clerk to the Trustees, who will arrange for another Trustee to manage this stage of the complaint in the place of the Chair of Trustees.

9. Stage 5: Referral to the Secretary of State

9.1 If the complainant is not satisfied with the review under Stage 4, they are entitled to refer their complaint to the Education Funding Agency who will consider the complaint on behalf of the Secretary of State in accordance with Agency's 'Procedure for dealing with complaints about Academies'. A copy of the procedure in force at the time of preparing this policy is attached at Annex A.

Responsible person:	Headteacher
Date of last changes:	June 2016
Next review date:	June 2017

ANNEX A

Education Funding Agency Procedure for dealing with complaints about Academies

Introduction

The Education Funding Agency (EFA) handles complaints about open academies and free schools. Part of our role is to make sure academies comply with the terms of their funding agreement which is a contract between the academy and the Secretary of State.

The following information explains how you can complain to the EFA about academies. It also sets out our procedure for considering them. This is not the procedure for complaints about the administration of independent appeal panels for admissions to academies.

Before submitting a complaint to us your first step should be to make a complaint directly to the academy following its complaints procedure.

Responsibilities of academies

Academies must make available on request a procedure for dealing with complaints from parents of pupils. We recommend that academies publish this online. For complaints from parents of pupils, this procedure must comply with The Education (Independent School Standards) Regulations 2010 and offer:

- an opportunity to resolve the complaint with the academy on an informal basis, for example through discussion with a senior member of staff;
- a formal complaint stage when the complaint is made in writing and usually responded to by the Chair of Trustees and
- a hearing with a panel set up by the academy trust, comprising at least three people not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school. Parents must be allowed to attend the panel and be accompanied if they wish

Academies may choose to handle complaints from those who are not parents of pupils at the academy differently. In these cases, we recommend that that the academy should clearly explain to the complainant how their complaint will be handled.

What the EFA will investigate

We will look at complaints about academies that fall into the following areas:

- undue delay or non-compliance with an academy's own complaints procedure
- an academy's failure to comply with a duty imposed on it under its funding agreement with the Secretary of State
- an academy's failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter as set out in the next section

What the EFA will not investigate

We will not investigate complaints that are, for example:

- about the quality of education or leadership, or concerns affecting the school as a whole. These should be raised with Ofsted
- about discrimination. These should be raised with the Equality Advisory Support Service
- about data protection. These should be raised with the Information Commissioner's Office
- about exam malpractice or maladministration. These should be raised with the Office of Qualifications and Examinations Regulation (Ofqual) and relevant awarding body
- about criminal behaviour. These should be raised with the police
- about any matter which is, or has been, subject to legal action
- about employment matters. These should be raised through the academy's grievance procedure, or taken to an Employment Tribunal
- about safeguarding or child protection matters. These should be taken up with the academy's Local Safeguarding Children's Board
- about a child or young person's Statement of Special Educational Need where there is another route of appeal, for example the First Tier Tribunal (Special Educational Needs and Disability) Service formerly the Special Educational Needs and Disability Tribunal (SENDIST)

We will not consider complaints more than 12 months after a decision or action is taken. The only exceptions will be if the delay in sending the complaint to us was unavoidable or if there is evidence that the academy is not currently complying with legal requirements.

We reserve the right not to consider complaints that:

- are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance)
- use obscenities, racist or homophobic language
- contain personally offensive remarks about members of our staff
- are repeatedly submitted with only minor differences after we have fully addressed the complaint

Whistleblowing

We take seriously all whistleblowing concerns raised. Please consider submitting your complaint confidentially rather than anonymously. Submitting a complaint anonymously will make it difficult for us to conduct a full and thorough investigation. We will respect your confidentiality when investigating whistleblowing complaints (see paragraph below).

If we can only proceed with an investigation by disclosing something to the academy that identifies you, we will ask for your consent first. If you do not give us your consent, it may be that we will not be able to take your case any further. If the allegation is sufficiently serious to require an investigation, we may reveal your identity without your consent.

Outcomes from investigations

We cannot change any decision an academy has made about your complaint. Our role is to look at whether the academy considered your complaint properly, by following a procedure that is in line with legal requirements.

If we uphold a complaint, then we may do one or both of the following:

- ask the academy to reconsider the complaint from an appropriate stage
- ask the academy to change its complaints procedure so that it complies with legal requirements

Complaining to the EFA about an academy

We will deal with complaints about academies in accordance with the following principles:

- academies should be receptive to genuine expressions of dissatisfaction
- complaints are dealt with promptly, fairly and proportionately; they are also resolved at the most local level possible
- in dealing with complaints the EFA will take account of its public sector equality duty (under the Equalities Act 2010)

If, at any stage of the process, we believe we are unable to meet the deadline outlined in this procedure, we will tell you before the deadline.

We will give you:

- the reasons we are unable to meet the deadline
- a new deadline date

Where possible, please put your complaint in writing. If you have difficulty in providing details in writing, we will discuss with you alternative ways of receiving the information.

Complaints about academies should be sent:

- via the Department for Education's schools complaints form
- by post to Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD

Receiving the complaint

Your complaint will be acknowledged in writing within 5 working days. Your complaint will be allocated to a named case officer who will write to you and consider your complaint in line with this procedure.

Assessing the complaint

Within 10 working days of acknowledging your complaint we will either:

- let you know you that your complaint will not be investigated, explain the reasons why and where possible give you helpful information about what to do next
- let you know that we will investigate your complaint
- ask you for further information to enable us to make an assessment

If we are going to investigate your complaint, before we begin we will ask you to:

- agree a summary of your complaint prepared by us
- give us permission to disclose your details to the academy you are complaining about
- give us permission to ask the academy whether or not its complaints procedure has been followed through all its stages

Investigation

Once you send us the information we have asked for we will look at it and, if appropriate, amend the summary of your complaint before sending it to the academy. The summary will be sent to the academy within 5 working days of receiving the additional information you have supplied.

We will then ask the academy to give us:

- an explanation of how each stage of its complaints procedure has been followed
- a response to the summary of the complaint together with relevant information

We will ask the academy to respond within 10 working days and, if necessary, to explain why this information should not be shared with you. For example, some of the information provided might include data belonging to individuals not involved in the complaint. We will forward the academy's response to you within 5 working days of receipt. You will be asked to confirm within 5 working days whether you:

- are satisfied with the response, in which case we will close the case
- wish to pursue the matter further

If you do not think the response fully addresses your complaint, we will make a provisional decision within 10 working days based on the evidence gathered and send this to both you and the academy. Both you and the academy will be asked to comment on the provisional findings within 10 working days.

Adjudication

We will look at any responses from you and the academy and any new evidence on whether or not the academy was in breach of its funding agreement. We will then confirm our findings and decision in writing. This will be done within 5 working days of receiving the last response, or 15 working days from sending out the provisional findings, whichever is the later.

Once we inform you and the academy of our decision, we will close the complaint.

Actions

If we uphold your complaint, we will do one or both of the following:

- ask the academy to reconsider the complaint from an appropriate stage
- ask the academy to change its complaints procedure so that it complies with legal requirements

If the academy does not comply with the actions, we may, if appropriate, seek to enforce the decision on behalf of the Secretary of State through the courts under the terms of the funding agreement.

What to do if you aren't satisfied

We take complaints about the service provided by the EFA seriously and take every opportunity to learn how to improve our processes and our service. If you are concerned about the way the EFA handled your complaint you can let us know via the EFA's Contact Us form: <https://www.education.gov.uk/help/contactus/dfe>, or by writing to:

EFA Complaints

Chief Executive's Office

53-55 Butts Road

Earlsdon Park

Coventry

CV1 3BH

Or you can email: complaints.efa@education.gsi.gov.uk