



## COMPLAINTS POLICY THE VIEW TRUST

### PROCEDURES FOR THE HANDLING OF COMPLAINTS IN ACADEMIES

#### Introduction and Scope

The policy of the Academy is to work in partnership with parents and the wider community. It is based on the belief that co-operation and a sense of joint purpose between staff, parents and the Academy will assist in ensuring open and positive relationships. From time to time however, parents and members of the public may express concern or make a complaint, either orally or in writing, about some aspect of the conduct/operation of the Academy, the conduct of the Principal, an individual member of staff, the Governing Body or an individual governor. The Academy will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered. In considering concerns or complaints, the Academy will ensure that they are dealt with in confidence, effectively and with fairness to all parties.

Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures will be followed as set out below.

In dealing with your complaint:

- we will deal with it honestly, politely and in confidence
- it will be looked into thoroughly, fairly and as quickly as possible
- we will keep you up-to-date with how we are dealing with your complaint
- we will apologise if we make a mistake; and
- we will tell you what we are doing to put things right

The Principal and governing body are fully committed to the improvement of our Academy. We welcome feedback from parents and carers and members of the public and will always try to resolve any concerns as quickly as possible.

## **What is a Concern or Complaint?**

A concern or complaint is defined as an expression of dissatisfaction about the conduct/operation of the Academy, the conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor, unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.

Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply:

- Child Protection
- Collective Worship
- Freedom of Information Access
- National Curriculum
- Pupil Exclusions
- Admissions
- Sex Education
- Staff grievance
- Special Educational Needs assessment
- Whistleblowing by an employee

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures.

## **Making a Complaint and Who to Complain to:**

If the complaint is about:

- something that has happened or failed to happen in Academy, contact the Principal;
- the actions of the Principal, contact the Chair of Governors via the Academy;
- the actions of a governor, contact the Chair of Governors via the Academy;
- the Chair of Governors, contact the Clerk to Governors via the Academy;
- the actions of the governing body, contact the Clerk to Governors via the Academy;

The Academy and Governing Body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

The Academy is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 Academy working days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible the complainant will be informed of any delays.

Where complaints are made against an individual member of the Academy staff, that person will be informed of the complaint at the earliest opportunity.

## **The Complaints Procedures**

### **Informal Stage**

The Academy will seek to resolve concerns and complaints informally with the member of staff or governor concerned and encourage the complainant to discuss with them the matters causing them concern. However, if that does not resolve the problem then the matter should formally be brought to the attention of the Principal (complaints and concerns about governors should be made to the Chair of Governors). The Principal (or Chair of Governors) will then seek to resolve the matter informally and will:

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 Academy working days. A complainant wishing to proceed to the formal stage of the procedure should normally notify the Principal/Chair of Governors within 20 Academy working days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- criminal activity which may require the involvement of the police
- financial or accounting irregularities
- abuse of children

### **Formal Stage**

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage the Chair of Governors will:

- ensure the complainant is aware of the procedures;
- require a written record of the complaint (if required, someone else may write this on behalf of the complainant);
- formally acknowledge the complaint;
- seek advice as appropriate;
- if the complaint concerns a member of staff (or governor) inform them and provide them with a copy of the complaint;

- arrange for a full investigation of the complaint;
- prepare a report as a result of the investigation and consider actions to be taken;
- advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee within 20 Academy working days;
- make a record of the complaint and its outcome, this should be retained for Academy records.

This stage would normally be expected to take no more than 20 Academy working days. The Governing Body should be informed in general terms of all formal complaints.

### **Appeals Stage**

The Complaints Appeals Committee of the Governing Body will consider complaints where the Principal (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. The Complaints Appeals Committee will consist of a number of governors alongside one member of the panel who is independent of the management and running of the Academy. Any appeal must be made in writing to the Clerk to the Governing Body (the Academy will advise the complainant of the contact details).

The Committee will be convened by the Clerk to the Complaints Appeals Committee (Governing Body) and will:

- consider the written materials;
- consider the complaint and the Principal's (or Chair's) action;
- invite the Principal or Chair of Governors (as appropriate) and the
- invite the complainant to the meeting;
- seek advice and support as necessary.

If the complaint is from a parent and they wish to attend then they need to notify the Academy in advance to make necessary arrangements. Reasonable notice of the meeting will be provided; this will be a minimum of 5 working days but may exceed this depending upon the availability of the panel members.

At the end of their consideration the Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Principal/Chair of Governors for further consideration;
- where upheld, decide on appropriate action;
- advise the complainant and Principal of their decision;
- advise the complainant of any further action they may wish to take if they remain dissatisfied.

The Clerk to the Committee will arrange for the Academy's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee and for the matter to be reported to the Governing Body. A written response will be provided to the complainant if requested and where appropriate.

This appeals stage would normally be expected to take no more than 20 Academy working days. In cases where the matter has been referred back for further consideration, the Complaints Appeals Committee will be reconvened.

### **Complaints about a Governor, the Chair of Governors or the Governing Body**

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant. In dealing with this matter the Chair should seek advice from the Local Authority's Governor Services Team. Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Governors must be referred to the Clerk to Governors who will arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Body.

### **Next Stages**

If the complainant is dissatisfied with the handling of their complaint and believes that it has been handled inappropriately, the complainant may contact the Department for Education using the 'schools complaints form' available at:

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

### **Vexatious Complaints**

The Academy will resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious, malicious or where the Principal or Chair of Governors is satisfied with the action that the Academy has already taken or proposes to take to resolve the complaint.

### **Serious Allegations or Complaints**

If the allegations refer to criminal activity which may require the involvement of the Police, the Principal will inform the Chair of Governors and seek the advice of the Board of Trustees.

If the allegations relate to the abuse of children, the Principal will seek the advice of the Police/ Local Authority Designated Officer/ Academy HR Consultant and/or other agencies such as Children's Social Care. Serious allegations of this nature must be referred under Child Protection Procedures to Children's Social Care.

## **Complaints Record**

The Academy will maintain a written record of all formal complaints in the complaints register, including how they were dealt with and the final outcome.

## **Withdrawal of a Complaint**

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

This Policy will be reviewed by the Board of Trustees on an annual cycle

Person responsible for the Policy:	School Business Manager (Tor View School)
Colleagues affected by this Policy:	All Trust Stakeholders
Approved and adopted by Trustees:	1 <sup>st</sup> January 2017
Next Review:	2018

**PARENT/ CARER COMPLAINT FORM**

**Please complete and return to the Principal who will explain what action will be taken.**

Your name:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
E-mail address:	

Pupil's name:	
Relationship to Pupil	
Please give details of your complaint.	
<p>What action, if any, have you already taken to try and resolve your complaint? (Please include: to whom did you speak and what was the response)</p>	
<p>What actions do you feel might resolve the problem at this stage?</p>	
<p>Are you attaching any paperwork? If so, please give details.</p>	
Signature:	Date:

Official use	
Date acknowledgement sent:	
By:	
Complaint referred to:	Date: