



DOCUMENT CONTROL

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Document Path & Filename	I Am Compliant/Policies and Procedures/Policy Stack 2019/ETAT0010_19.1_Complaints Policy	
Document Reference	Complaints Policy	
Version	19.1	
Status	Approved	
Publication Date	April 2018	
Related Policies		
Review Date		
Approved/Ratified by	CEO	Date: April 2018
<p>Distribution:</p> <p>All staff through 'I Am Complaint' Policy file.</p> <p>Please note that the version of this document contained within the Policy Folder on Staff General is the only version that is maintained.</p> <p>Any printed copies should therefore be viewed as "uncontrolled" and as such, may not necessarily contain the latest updates and amendments.</p>		

Version	Date	Comments	Author
1	Nov 2016		Ros Farrell
19.1	April 2018		Ros Farrell

Educate Together Academy Trust Complaints Policy

General Principles:

In line with its guiding principles, Educate Together Academy Trust wants to provide a friendly and secure learning environment for all pupils supported by effective partnerships with all parents/carers and the community. However, we recognise that from time to time there may be a need for individuals to raise a concern in order to resolve it. We will investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity:

1. To put right any matter which may have gone wrong.
2. To review our systems and procedures in the light of the relevant circumstances.

This procedure is intended to allow you to raise a general concern or complaint relating to the academy, or the services that it provides. In most cases the Academy will be able to help with problems informally by listening and discussing them with you. However, if it is not possible to resolve problems informally then a formal process is available.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the academy as soon as possible. In general, any matter raised more than 3 months after the incident/event, being complained of, will not be investigated.

Parents, Members of Staff, Trustees and anyone else involved in any stage of these procedures must treat all matters discussed with strict confidence.

The Table in Annex 1 indicates how different types of complaint are dealt with dependent upon which policy they fall under.

1) Informal Stage:

Any complaint shall be initially raised with the staff member concerned. This may be by letter, by telephone or in person by appointment. It is recommended that an appointment be made to enable a face-to-face conversation to take place. However, communication may also be via letter or by telephone. Many concerns can be

resolved by simple clarification or the providing of information and it is anticipated that most complaints will be resolved at this informal stage.

In the case of serious concerns i.e. child protection, health and safety or financial it may be appropriate to address them directly to the Headteacher, copying in the Clerk to the Board or to the Trust/Board directly, via the Clerk, if the complaint is about the Headteacher. The Clerk can be emailed at clerk@educatetogether.org.uk.

If you are uncertain about whom to contact, please seek advice from the Academy Office. Only when these informal processes have failed to resolve a concern will it be necessary to move to the formal stage.

2) Formal Stage:

If your concern or the complaint is not resolved at the informal stage or if the complaint is of a serious nature, you should put the complaint in writing and pass it to the Headteacher and Clerk to the Board, [or to the Trust Board via the Clerk, if the complaint is about the Headteacher] who will be responsible for ensuring that it is investigated appropriately. All records will be kept (please see retention policy).

A Complaint Form is available from the Academy Office in hard copy or as annex 3 of the document. The Clerk can be contacted at clerk@educatetogether.org.uk.

You should include relevant details that will assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. It is important that you include a clear statement of the actions that you would like the academy to take to resolve your concern. Without this we will not be able to proceed.

Please pass the completed form, in a sealed envelope or in an email marked 'confidential: complaint', to the Headteacher and Clerk, or to the Clerk to the Trust/Board, as appropriate. You should be informed in writing of how the academy intends to proceed with your complaint. This should be within 5 days of the academy receiving your formal complaint.

The Headteacher [or Trust/Board] will invite you to a meeting in which you can provide further details of your complaint/concerns and work towards resolution. If you accept that invitation, a friend may accompany you to the meeting to support you. If the issue is complex or of a serious nature then the Headteacher/Chair may decide to set up a panel of Trust/Board members to investigate the matter.

It is possible that your complaint will be resolved through this initial meeting with the Headteacher [or Trust Board]. However, it may be necessary to adjourn the meeting

to speak to other parties in order to investigate the concerns raised. Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its outcome. You will be advised as to how long the investigation is likely to take.

The Table in Annex 2 outlines the timescales for dealing with complaints.

If you are not satisfied with the outcome or manner in which the process has been followed, you may appeal and request that the Trust/Board reviews the process followed by the academy in handling the complaint. Any such request must be made in writing to the Clerk to the Trust, within 10 academy days of receiving notice of the outcome. You should include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. An Appeal form is available from the academy.

Appeal/Review Process:

A panel of 3 members of the Trust/Board will hear the appeal and review the process followed by the academy. These members will have had no previous involvement with the complaint or the investigation. One member of the panel will be independent of the management/running of the school.

The appeal panel will arrange to meet at a time convenient to all parties. This will usually take place within 10 academy days of receipt of the appeal. The complainant, Headteacher, any member of staff the complaint is about or anyone involved in the investigation will be invited to attend this hearing. All parties will have an opportunity to state their case.

If an individual would prefer then they may make written submissions to the Appeal Panel.

The panel will first listen to evidence from the complainant and ask relevant questions.

The panel will then invite representatives of the academy [Usually the Headteacher or the Chair of the Trust/Board panel that considered the matter], as appropriate, to make a response to the complaint and will again ask relevant questions.

Finally the panel will question any other parties involved. The panel will also review any relevant documentation including the records of the initial investigation and process followed.

The complainant, and the academy representative[s], will be informed in writing of the outcome, usually within 5 academy days of the Appeal Panel meeting.

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 systems or procedures to ensure that problems of a similar nature do not recur. The matter will then be closed as far as the academy is concerned.

If you believe that the Trust/Board has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Children, Academies and Families.

Resolving Complaints

At each stage in the procedure the Trust will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. 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 explanation of what steps have been taken to ensure that the situation will not recur
- An undertaking to review policies in light of the complaint

It is useful if complainants are able to state what actions they feel might resolve the problem at any stage. An admission that the situation could have been handled better is not an admission of negligence.

Vexatious Complaints

There will be occasions where 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 Board should inform them in writing that the procedure has been exhausted and that the matter is now closed.

Appendix 1: Outline of how different complaints are dealt with

Nature of Complaint		Appropriate person to receive contact	Relevant Policy/Procedure
Information	Request for published information	Academy Office	FOI Act Charging Policy
	Request for personal pupil information	Headteacher or Senior member of staff	DPA Charging Policy
Policy	Complaint about Trust policy – either content or application	Clerk/Chair	Complaints Policy
	Admissions	Trust	Admissions Procedure Admissions Appeal Procedure
	Exclusion	Board	Exclusion Appeal Procedure
General Complaint	Unreasonable exercise of discretion by Headteacher e.g. declining a volunteer or refusal to sign passport application	Headteacher Chair of Board	Complaints Policy
	Selection of pupil for academy team/play	Headteacher/Clerk to Board	
	Content of /Failure to maintain a statement of SEN	Headteacher /SENCO	SEN Policy
	Failure to provide National Curriculum entitlement or inappropriate curriculum	Headteacher	
	Extended Services	Manager of relevant service	Procedures of Service Provider

Allegation about behaviour/ conduct	Allegation about conduct of a member of staff	Headteacher Or Chair if allegation against Headteacher	Academy Staff Discipline Procedure [Confidential to Academy & Employee]
	Allegation of verbal or physical assault by member of staff on pupil	Headteacher Or Child Protection co-ordinator Or Chair [if allegation against Headteacher]	Local Child Protection Procedures [Confidential to academy, LA CPO & parents of alleged victim]
	Allegation about capability of a member of staff	Headteacher Or Chair [if allegation against Headteacher]	Academy Staff Competence Procedure [Confidential to Academy & Employee]
	Allegation about conduct of a pupil [e.g. bullying]	Headteacher or Senior member of staff	Academy behaviour & discipline procedures [Confidential to Academy & parents of alleged perpetrator]
	Discipline of a pupil	Headteacher or Senior member of staff	
	Inappropriate postings on website or social networking site	Headteacher Or Chair	E-safety Policy Staff Discipline or Academy behaviour & discipline procedures
	BOARD Decision to remove licence for a person to enter academy premises [banning]	Clerk to BOARD/Chair	Complaints Policy

Annex 2: Complaint Policy Timescales

	Complaint Acknowledged	Complaint Heard	Outcome Notified	Appeal Request	Appeal Heard	Outcome Notified
How	In writing	Meeting	In writing	In writing	Meeting	In writing
Who	Headteacher/Chair	Headteacher or Chair *	Headteacher or Chair	Complainant	Trust/Board panel (3)	Trust/Board panel
Timescale	Within 5 academy days of receiving complaint	Within 10 academy days of request being received	Within 5 academy days of meeting	Within 10 academy days of receiving outcome letter	Within 10 academy days of request being received	Within 5 academy days of meeting

* In some circumstances it may be appropriate for a Trust/Board panel comprising 3 Members (who have no previous involvement with the case) to hear the complaint at this stage. If this is required then due to diary commitments it may take longer than 10 academy days for this panel to come together to hear the complaint.

The aim throughout is always to investigate the matter thoroughly within these timescales. Occasionally matters may take longer to investigate, if this is the case you will be notified as to the delay and provided with an indication of the anticipated timescale to investigate your complaint.

Annex 3: Complaint Forms

Please complete this form and return it to Headteacher and Clerk [or Clerk to the Trust/Board], who will acknowledge its receipt and inform you of the next stage in the procedure. The Clerk can be emailed at clerk@educatetogether.org.uk.

Your name:

Relationship with academy [e.g. parent of a pupil on the academy's roll]:

.....

Pupil's name [if relevant to your complaint]:

.....

Your Address:

Daytime telephone number:

Evening telephone number:

Please give concise details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [i.e. whom have you spoken with or written to and what was the outcome?]

What actions do you feel might resolve the problem at this stage?