



COMPLAINTS PROCEDURE

IF YOU HAVE A CONCERN OR COMPLAINT

We would like you to tell us about it. We welcome suggestions for improving our work in the academy. Be assured, that no matter what you want to tell us, our support and respect for you and your child in the school, will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate an incident or problem properly that took place some time ago.

WHAT TO DO FIRST

Most concerns and complaints can be sorted out quickly by speaking with your child's achievement tutor or Learning Director. Any teacher or the school secretary can help you find the right member of staff.

If you have a complaint that you feel needs to be looked at by the Principal in the first instance, you can contact the Principal directly if you prefer. It is usually best to discuss the problem face to face. You will need an appointment to do this, and can make one by ringing or calling in to the Academy office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and explain their own actions to you. They will ask what you would like the Academy to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the academy to understand both sides of the problem. It may also help to prevent a similar problem arising again.

WHAT TO DO NEXT

If you are dissatisfied with the teacher's response you can make a complaint to the Principal. This should be made in writing and within 10 days of the original complaint.

Help with this is available from Wellacre Academy office.

At this stage, you may also find it helpful to have a copy of the full statement of the General Complaints Procedure as this explains in detail what procedures are followed. This is available from the Academy office on request.

The Principal will ask to meet you for a discussion of the problem. Again you may take a friend, or someone else with you, if you wish. The Principal will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

IF YOU ARE STILL UNHAPPY

The problem will normally be solved by this stage. However, if you are still not satisfied, you may wish to contact the Chair of the Governing Body to ask for referral of your complaint to a Complaints Committee. A detailed account of the grievance should be sent to the Chair of Governors at the school's address with copies to the Principal within 10 working days following the discussion with the Principal or their delegate (at stage 2).

The Chair of Governors, or a nominated governor, will convene a complaints panel who will meet to consider the complaint. The panel must include an independent person with no management connection to Wellacre Academy or who has any involvement in the running of the academy. This panel will meet within 20 working days of the receipt of the complaint. The clerk to the governing body should write to the complainant to acknowledge receipt of the written request. The members of the complaints panel may call upon such evidence as they consider relevant and their decision, which will be binding, will be conveyed in writing to all parties within 10 school days of the meeting. You will be invited to attend and speak to the panel at a meeting, which the Principal will also attend. The General Complaints Procedure Statement explains how these meetings operate.

If your complaint is about an action of the Principal personally, then you should refer it to the Chair of Governors. You can contact the Chair by phoning or writing to the Academy, who will forward your request to the Chair

FINAL STAGE

If a complainant has been through all the stages of the academy's complaints procedure but remains dissatisfied, they can ask the Education Funding Agency to review the handling of their complaint by writing to:

Academies Central Unit (Academy Complaints)
Education Funding Agency
Earlsdon Park
53 – 55 Butts Road
Coventry, CV1 3BH

The Education Funding Agency cannot review or overturn decisions about complaints made by Academies. They can only investigate whether the Academy considered the complaint appropriately.

At the end of each stage the complainant has 10 working days to confirm in writing his or her intention to continue to the next stage. Failure to notify the Principal (for stages one and two) or the Chair of Governors and Principal (for stage three) within the 10 working day notice period will be deemed as an acceptance of the earlier outcome.

Any complaint which falls outside this time period will return to stage one.

Any requests for documentation will be charged at the appropriate rate.

A copy of the full complaints policy may be obtained from the school office or downloaded from the school website www.wellacre.org.

Stage 1: Informal Action

The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class Teacher or School secretary or Principal, depending on whom the parent first approaches. Parents must feel able to raise concerns with members of staff without any formality.

Procedure for School to use at Stage 1

1. Parents have an opportunity for discussion with an appropriate member of staff who will clarify the nature of the concern and reassure the parents that the School want to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify what sort of outcome the parent is looking for at this point.
2. If the member of staff contacted first is unable to deal immediately with the matter, a clear note is made of the complainants name, address/phone number, together with the date.
3. Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. He/she will check later to make sure that the referral has been successful
4. On certain major issues the Principal may decide to deal with concerns directly at this stage.

If the concern relates to the Principal, the parent/carer is advised to contact the Chair of the Governing Body.

5. The staff member dealing with the concern makes sure that the parent is clear what action or monitoring of the situation has been agreed, (if any) putting this in writing, **only** if this seems the best way of making things clear, a telephone call or email may suffice.
6. Where no satisfactory solution has been found within ten days, parents are asked if they wish their concern to be considered further. If they do, they are given clear information about how to proceed and how to retrieve any independent advice that may be available to them.

Stage 2: Referral to the Principal for Investigation

At this stage it has become clear that the concern is a definite complaint. In some cases the Principal has already been involved in looking at the matter; in others it is their first involvement.

As Principals have responsibility for the day-to-day running of their Schools, they have responsibility for the implementation of a complaints system including the decisions about their own involvement at various stages. One of the reasons for having various stages in a complaints procedure is to reassure complainants that their grievance is being heard by more than one person.

Procedure for Review by the Governing Body for use at Stage 2

1. The Principal acknowledges the complaint orally or in writing within 3 working days of receiving the written complaint. The acknowledgement gives a brief explanation of the School's complaints procedure and a target date for providing a response to the complaint. This should normally be written within 10 working days; if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.
2. The Principal provides an opportunity for the complainant to meet him/her to supplement any information provided previously. It is made clear to the complainant that if he/she wishes he/she may be accompanied to any meeting by a friend who can speak on his or her behalf.
3. If necessary, the Principal should interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. In some situations circumstances may prevent this. If so, another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against the needs of that person should be borne in mind.
4. The Principal keeps written records of meetings, telephone conversations, and other documentation.
5. Once all the relevant facts have been established, the Principal should produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
6. A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the Academy will take to resolve the complaint. The complainant is advised that should he/she wish to take the complaint further he/she should notify the Chair of the Governing Body and the Principal within 10 working days of receiving the outcome letter.
7. If a complaint is against the action of the Principal, or if the Principal has been very closely involved at Stage 1, the Chair of the Governing Body should carry out all the Stage 2 procedures.

Stage 3: Review by the Complaints Panel

Complaints only rarely reach this formal level, but it is important that the panel is prepared to deal with them when necessary. At this stage, the Academy should seek advice from any relevant authority. The Chair of Governors, or a nominated governor, will convene a complaints panel who will meet to consider the complaint. The panel must include an independent person with no management connection to Wellacre Academy or who has any involvement in the running of the academy. This panel will meet within 20 working days of the receipt of the complaint.

It is important that this review is not only independent and impartial but that it is seen as being so. If an individual governor is approached with a complaint the complainant should be referred directly to the Principal, The governor should not normally become involved in the complaints procedure, If an individual governor decides to take up a complaint on behalf of an individual or a group, he/she should not take any part in the formal hearing of the complaint.

Complaints should **not** be raised at full meetings of the Governing Body and should not be reported to the Governing Body until resolved by the appropriate Committee, and then not in detail. -

Parents inevitably see many complaints as being 'against' a particular member of staff. However, complaints reaching this stage will have done so because the complainant has not been satisfied by the Principal's response at the earlier stage of the procedure. It may be appropriate for the Governing Body to consider that the complaint is against the Academy, rather than against the member of staff whose actions led to the original complaint. -

Procedure for Review by the Complaints Panel for use at Stage 3

1. Upon receipt of a written request by the complainant for the complaint to proceed to stage 3, the procedures outlined below should be followed.
2. The Chair should write to the complainant to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint is to be heard by a Committee of three members, including one representative who has no management connection to Wellacre Academy or who has any involvement in the running of the academy, within 20 working days of receiving the complaint. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the Committee members.
3. The Chair should arrange to convene a Complaints Panel. It may be necessary for the Governing Body to appoint reserves to this Committee to ensure that three members are available to carry out their task within the set time.
4. The Committee of three members should be made up of Governors who have had no prior involvement with the complaint and one representative who has no management connection to Wellacre Academy or who has any involvement in the running of the academy. The panel will want to be sensitive to issues of race, gender and religious affiliation. A Chair should be elected.
5. The Chair of the Committee will ensure that the complaint is heard by the Committee within twenty working days of receiving the letter. All relevant correspondence regarding the complaint should be given to each member as soon as the composition of the Committee is confirmed.
6. The Chair of the Committee will write and inform the complainant, Principal, any relevant witnesses and members of the Committee at least five working days in advance of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend. The letter will also explain how the meeting

will be conducted and the complainant's right to submit further written evidence to the Committee

7. The Chair of the Committee should invite the Principal to attend the Committee meeting and to prepare a written report for the Committee in response to the complainant. The Principal may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint. Any relevant documents, including the Principal's report, should be received by all concerned including the complainant - at least five working days prior to the meeting.
8. It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
9. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised that sometimes it may only be possible to establish the facts and make recommendations that will satisfy the complainant that his/her complaint has at least been taken seriously.
10. The Committee should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. It is therefore recommended that the Chair of the Committee ensures that the proceedings are as informal as possible.
11. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
12. The meeting should allow for:
 - ◆ The complainant to explain their complaint and the Principal to explain the Academy's response;
 - ◆ The Principal to question the complainant about the complaint;
 - ◆ The complainant to question the Principal and/or other members of staff about the Academy's response;
 - ◆ Committee members have the right to ask questions at any time;
 - ◆ Either party to have the right to call witnesses (subject to the approval of the Chair of the Committee) and to have the right to question witnesses;
 - ◆ Final statements by both the complainant and the Principal.
13. The Chair of the Committee will explain to the complainant and the Principal that the Committee will now consider the evidence presented, and a written decision will be sent to both parties within fifteen working days. The complainant, Principal other members of staff and witnesses will then leave.
14. The Committee will then consider the complaint and all the evidence presented and:
 - ◆ reach a unanimous, or at least a majority, decision on the complaint;
 - ◆ decide upon the appropriate action to be taken to resolve the complaint and, where appropriate;
 - ◆ Recommend changes to the Academies' systems or procedures to ensure that problems of a similar nature do not happen again.
15. A written statement outlining the decision of the Committee must be sent to the complainant and Principal. The letter to the complainant should explain how a further appeal can be made, and if so, to whom.

16. The Academy should ensure that a copy of all correspondence and notes are kept on file in the Academies records. These records should be kept **separately** from the pupil's personal records.

Stage 4: Appeal Stage

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Procedure for Complaint Appeal Meeting

1. Chair to open meeting and explain the procedure.
2. The parent will explain the events which have brought about the complaint.
3. The Principal will then be given the opportunity to question the parent.
4. The Committee will then be given the opportunity to question the parent.
5. The Principal will then put his/her case to the Committee.
6. The parent will then be given the opportunity to question the Principal.
7. The Committee will then be given the opportunity to question the Principal.
8. The parent and Principal will then be asked to sum up their respective cases.
9. The Principal and parent will be asked to withdraw.
10. The Committee will deliberate in private and the parties will be advised as to the timescale for a response, which will be in writing.