



COMPLAINTS PROCEDURE

Introduction and General Principles

We **value our good relationships** with parents, carers and our wider community and work hard to establish and maintain them. We **welcome feedback** on our work and will consider it carefully, whether positive or negative **to inform our policies and practices**.

Timescales

We are committed to trying to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

Please tell us about any concerns as soon as possible and within three months of the incident/s. It is more difficult for us to investigate an incident or problem properly that took place some time ago. The Chair of Governors and Principal would have to be satisfied that exceptional circumstances applied with regard to a complaint outside this time frame.

All time scales in this complaints procedure refer to working term time school days. Any complaints received during school holidays will be deemed to have been received on the first day of the next school term. **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.

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

The Complaints Procedure

- **Stage One (The Informal Stage) aims to try to resolve the concern through informal contact with the appropriate member of staff at the right level.**

Most concerns and complaints can be sorted out quickly by speaking with your child's Achievement Tutor or Head of House. Any teacher or a member of the Administrative Support Staff can refer your concern to the most appropriate member of staff. 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 school 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 school to understand both sides of the problem. It may also help to prevent a similar problem arising again.

1. Once you make us aware of a complaint, we will contact you as soon as possible and within 3 working days.
2. We may have to contact appropriate people to help us to deal with your concern.
3. We will update you on the progress of our enquiries within 10 working days. The staff member dealing with the concern will make sure that the parent/carer 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.

If you are dissatisfied at the end of this informal process, you will be asked to put your concern in writing. It will become a formal complaint and we will deal with it at Stage 2. This should be made in writing and within 10 days of receiving feedback on the original complaint.

- **Stage Two (The Formal Stage: for formal consideration of your complaint) is the point at which you put your complaint in writing for the consideration of the Principal or a designated member of the Leadership Team.**

If you have a complaint about the Principal it should be submitted as 'Confidential: For the attention of the Chair of Governors'.

Your written complaint should be addressed to the Principal. It is important that you provide:

- I. specific details of your complaint;
 - II. the action you have already taken to try and resolve your complaint;
 - III. the actions you feel might resolve the complaint at this stage.
1. The Principal, or nominated member of the Leadership Team, acknowledges the complaint by telephone 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 which should normally be within 15 working days.
 2. The Principal, or nominated member of the Leadership Team, will conduct a full investigation of the complaint and may interview any members of staff or students involved. Once all the facts have been established, you will be sent a written response, **usually within 15 school working days**. This will give an explanation of the decision and the reasons for it.
 3. It may be that the investigation takes longer than 15 days. If this is the case, we will be in touch with you to explain the reasons why and revise the associated timescales.
 4. **We may invite you to a meeting as part of our commitment to building and maintaining good relationships with you.** The Principal, or nominated member of the Leadership Team, may also be accompanied by a suitable person if they wish. The complainant will also be informed of their right to be accompanied by a friend or member of the family.
 5. If necessary, the **Principal should interview witnesses and take statements from those involved.** If the complaint centres on a student, the student should also be interviewed. In some situations circumstances may prevent this. If so, another member of staff with whom the student 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.

6. The **Principal keeps written records** of meetings, telephone conversations, and other documentation.
7. 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. This should be **within 15 school working days**.
8. The written response should include a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. **The complainant is advised that should they 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.**

If a complaint is against the action of the Principal, or if the Principal has been very closely involved at Stage I, the Chair of the Governing Body should carry out all the Stage 2 procedures.

If you are unhappy with the outcome of Stage Two, you may proceed to Stage Three, as described below.

- **Stage Three (Formal Resolution: consideration by a Complaints Panel)**

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 Panel.**

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.**

Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below should be followed.

1. **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.
2. The Committee of three members should be made up of **two 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 school.** A Chair should be elected.
3. The Chair of the Committee will ensure that the complaint is heard by the Committee **within 20 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.

4. 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 them 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
5. 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.**
6. It is the responsibility of the Chair of the Committee to ensure that the **meeting is properly minuted**.
7. 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.
8. 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

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.*
9. 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.
 10. The meeting should allow for:
 - ◆ The complainant to explain their complaint and the Principal to explain the school'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 school'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 school's 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 student's personal records.

- **Stage 4: Appeal Stage**

If a complainant has been through all the stages of the school's complaints procedure but remains dissatisfied with the **handling of the complaint**, they can ask the Education Funding Agency to review it 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.

Closure of Complaints

Very occasionally the school will feel that it has done all it can to resolve an issue but the complainant is still dissatisfied. **In these situations, regrettably, the school will close the complaint as it is simply not possible to meet all the complainant's wishes.**

If a complainant persists in making representations to the school, the Principal, Chair of Governors or anyone else, we are entitled to close correspondence on a complaint where we feel we have taken every reasonable step and action to resolve the complaint and all official processes of the complaints procedure have been exhausted and where the actions of the complainant are causing distress to staff and/or students or detracting from the work of staff in the discharge of their duties.