

Abbey College, Ramsey Complaints Policy

For ease of read, the term 'parent' has been used throughout the document, to include parents, legal guardians and full time carers.

Introduction

The Abbey College recognises that at times things can and do go wrong. The Academy governors and staff believe that it is in everyone's best interest to resolve concerns and complaints at the earliest possible stage.

The majority of issues raised by parents, the community or students, are concerns rather than complaints. Abbey College is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing to implement formal procedures. However, depending on the nature of the complaint, individuals may wish or be asked to follow the Academy's formal complaints procedure. Abbey College reserves the right to reject a formal complaint that it considers to be unsubstantiated or frivolous.

For the Academy to be able to investigate a complaint, it needs to be made within six months of the incident occurring. If a complaint is older than six months it will not be investigated. In relation to complaints regarding a student's behaviour or any sanctions imposed on a student by the College, Abbey College will only investigate complaints relating to students currently on roll at the time the complaint is made.

The prime aim of Abbey College's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

Scope

The scope of this policy covers most complaints that the Academy is likely to receive from parents, students or the community. However it is not intended to cover aspects for which there are specific statutory requirements, in particular, complaints about the delivery of the curriculum or the provision of collective worship or religious education. It is usual to disregard anonymous complaints unless somebody is prepared to substantiate them. However anonymous complaints may be investigated, at the discretion of the Headteacher, if it is felt the complaint is of sufficient seriousness to warrant this.

In addition,

Parents who are not satisfied with a special needs assessment may appeal to an SEND Tribunal.

Concerns about admissions or exclusions have specific appeal rights to the governors and are detailed in the relevant policies.

Allegations of child abuse will be dealt with through the Child Protection Policy;

Complaints of financial improprieties or other criminal activities will be dealt with through the Whistleblowing Policy.

General Principles

The Abbey College Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the Academy's senior leadership team so that services can be improved.

At each stage, the person investigating the complaint will ensure that they:

Clarify the nature of the complaint and unresolved issues

Clarify what the complainant feels would put things right

Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

Keep notes of the interview(s)

At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:

An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)

An apology

An explanation

An assurance and an explanation of the steps that have been taken to ensure that it will not happen again

An undertaking to review academy procedures in light of the complaint

Where it is not felt that a complaint is valid in whole or in part, this will be communicated with an explanation of why the complaint is not upheld

4. Records

All complaints will be recorded, including informal complaints. Staff are responsible for ensuring that complaints and outcomes are recorded.

Records relating to individual complaints are confidential, except where the secretary of state or a statutory body conducting an inspection requests access to them.

The Governing Body through the appropriate Committee will monitor the level and nature of complaints and review their outcomes on a regular basis

The Abbey College Procedure has five main stages

- Stage 1
A concern is raised informally with a member of staff

- Stage 2
A concern is heard by the Complaints co-ordinator or appropriate member of staff

- Stage 3
A formal complaint is heard by the Headteacher

- Stage 4
Complaint and College response investigated and reviewed by Chair of Governors

- Stage 5
Complaint and response reviewed by a Panel of Governors

Note: If a complaint is made directly against the Headteacher the procedure begins at stage 4. A complaint against a governor would begin at stage 3 but the Chair of Governors would also investigate, a complaint against the chair of governors would begin at stage 3 and move to stage 5 if not resolved.

Stage 1 - An informal discussion

Our experience is that the vast majority of concerns and complaints can be resolved informally to the full satisfaction of those who raise them. There are many occasions where concerns can be resolved straight away, providing the complainant with the benefit of an immediate response, and avoiding the need to submit a formal complaint. Complainants should be directed to the “what to do if I have a concern leaflet” to provide guidance and assist this process.

Concerns may be raised with any member of the Academy staff depending on the type of issue to be discussed. On some occasions the concern raised may require investigation or discussion with others, in which case an informal but informed response should be provided within 2 school days. This may be extended to 5 school days if the matter proves complex, in which case the complainant will be told of the extra time required and why.

The person who raised the issue will be informed of any action to be taken to resolve it and if appropriate this will be confirmed in writing. If the person is dissatisfied with the response given they should refer to Stage 2 below.

Stage 2 Concern is heard by the complaints co-ordinator or an appropriate member of staff

If a complainant is unhappy with the response from Stage 1, they will be referred before a formal investigation begins to the complaints co-ordinator to discuss their concerns. It may still be possible to reach an informal resolution at this point. A record will be kept of this meeting and any actions agreed. The record will be signed by all parties and copies will be provided to the complainant. If this meeting does not resolve the issue, the Complaints Co-ordinator will support the complainant in deciding whether the complaint is best dealt with through the complaints procedure or another statutory procedure and advise the complainant of the next steps they should take

If it is agreed to deal with the complaint through this policy, then a formal written complaint should now be made to the headteacher. This will be acknowledged within 3 school days of receipt. The complaint and date received will be logged by the Complaints Co-ordinator.

Stage 3 Formal Complaint is heard by the Headteacher

On receipt of a formal written complaint, the Headteacher or senior member of staff on behalf of the Headteacher will now conduct an investigation. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible.

The Headteacher or senior member of staff will update the Complaints Co-ordinator on a regular basis with the progress of the investigation.

Interviews and statements will be taken as necessary.

All persons interviewed will have the right to be accompanied or represented by a friend or relative at discussions and hearings.

A written response will be sent to the complainant within 10 school days of the initial acknowledgement, or meeting if convened. The response will determine whether or not the complaint has been upheld, the reasons why and what action, if any, will be taken. The response must include information on the next stage of the Complaint process should the complainant remain dissatisfied and the timescales for this.

If the person remains dissatisfied after this response, they should refer to Stage 4 below.

Stage 4 – Review of Complaint and Response by Chair of Governors

The complainant must submit a written request to the Chairman of Governors for their complaint to be further considered. The complainant should make clear in their request the reasons they are not satisfied with the response at Stage 3. This request should be submitted within 10 school days of receiving the response at stage 3. The request will be acknowledged within 5 school days.

The Chair of Governors will conduct an investigation into the complaint and will review the investigation undertaken at stage 3. The Chair may request the assistance of another governor in this process and may contact and or meet with the Complainant.

The Chair will keep the Complaints Co-ordinator updated with progress.

A written response will be sent to the complainant within 10 school days of the initial acknowledgement. The response will determine whether or not the complaint has been upheld, the reasons why and what action, if any, will be taken. The response must include information on the next stage of the Complaints process should the complainant remain dissatisfied and the timescales for this.

Stage 5 – Review of the Complaint by the Complaints Panel of Governors

The Complainant must submit a written request to the Chair of Governors for the complaint to be referred to the Complaints Panel of Governors within 10 school days of receiving the Chair's response.

The complainant should make clear in their request the reasons they are still not satisfied with the response received at Stage 4. The request will be acknowledged within 5 school days of receipt. The acknowledgement will include the information that the complaint is to be heard by three members of the Governing Body, where there is at least one panel member who is independent of the management and running of the school, and if possible within 20 school days. These governors will have had no previous involvement in the complaint.

The complaints panel will review the written information concerning the complaint and the process by which the complaint has been investigated. All parties will be invited to submit any additional written material they would like the panel to consider and will be notified of the date of the panel review.

The panel will meet in private to review the complaint and may be advised on procedural matters by an independent education advisor. This service is usually provided by the Local Authority. The panel will consider if the complaint has been fairly investigated and aim, if at all possible, to achieve reconciliation between the Academy and the complainant. The panel may express a view about the complaint and the means of resolving it but has no legal basis for overturning any prior decision. The parent will be invited to attend the panel hearing to receive the result and may be accompanied if they wish.

A written statement outlining the findings of the Governors and any recommendations for the future will be sent to all parties including the Complaints Co-ordinator within 10 school days of the panel meeting. The statement will confirm that the Academy's complaint process has been concluded and will explain that any further appeal must be made to the Secretary of State.

Complaints can be taken to the Secretary of State on the grounds that a governing body is acting or proposing to act unreasonably or on the grounds that either has failed to discharge its duties under the Education Act. Complaints about maladministration can be made to the Young People's Learning Agency (YPLA).

The Academy will ensure that a copy of all correspondence and notes are kept securely and separate to the records of any students' personal records.

Guidelines for each stage of the complaint procedure

Stage 1 Dealing with concerns and complaints informally

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 Head of House, depending on whom the parents first approached.

Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a parent.

At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

Stage 1 – Procedure

If the concern can be resolved an informal response should be provided within 2 school days or 5 school days if the matter proves complex, in which case the complainant will be told of the extra time required and why. If the first member of staff to be contacted regarding a concern is unable to resolve it, they should make a note of the date, the name, contact number and address of the complainant and pass them onto the relevant person. They should check later to make sure the referral has been successful. If a meeting is held with the parent, this should be recorded using the standard meeting form. Staff should refer to the meeting checklist for guidance on conducting the meeting and a copy of the complaints protocol leaflet should be provided. If the issue cannot be resolved informally by the relevant person, the matter is referred to the complaints co-ordinator

Stage 2 – Referral to the Complaints Co-ordinator

The Complaints Co-ordinator meets with the complainant and discusses their concerns. The Complaints Co-ordinator clarifies the nature of the concern, and reassures them that the Academy wants to hear about it. It can be helpful to identify at this point what sort of outcome the complainant is looking for.

Stage 2 – Procedure

If the concern can be resolved the Complaints Co-ordinator ensures that the complainant knows what action (if any) or monitoring of the situation will be undertaken and a record of what has been agreed is provided to all parties using the standard meeting form.

If the concern relates to the Headteacher, the parent should be advised to contact the Chair of Governors

If the Concern cannot be resolved the Complaints Co-ordinator will advise the complainant of the next steps they should take.

Stage 3 – Formal complaint to the Headteacher

At this stage it has become clear that the concern is a definite complaint. One of the reasons for having various stages in the procedure is to reassure complainants that their grievance is being heard by more than one person. The Headteacher will ensure

that their involvement will not predominate at any earlier or later stage of a particular complaint.

If the complaint is about the Headteacher the complaint will move to Stage 4

Stage 3 – Procedure

The Headteacher or designate will acknowledge the complaint in writing within 3 school days of its receipt. An opportunity will be given for the complainant to meet the Headteacher (or designate) to provide any supplementary information. The complainant may be accompanied by a friend, relative or representative.

The Headteacher (or designate) will interview witnesses and take statements from those involved. If the complaint centres around a student, the student will also be interviewed, normally with the parents present. If a member of staff is complained against, the needs of that person should be borne in mind.

The Headteacher will keep written records of meetings, telephone conversations and other documentation. The Headteacher will keep the Complaints Co-ordinator updated with progress. Once the facts have been established the Headteacher will write a response to or meet the complainant to discuss / resolve the matter directly. This response should be made within 10 school days of the acknowledgement letter.

The complainant will be advised that, should they wish to take the complaint further, they should write to the Chair of Governors within 10 school days of receiving the written response. This letter should explain why they are dissatisfied with the outcome for the Headteachers investigation.

If the complaint is against a governor, stage 3 will be carried out by the Headteacher and Chair of Governors

Stage 4 – Review by the Chair of Governors

It may be appropriate that the Chair of Governors consider this now a complaint against the Academy, rather than against any member of staff whose actions led to the original complaint.

Stage 4 – Procedure

The Chair of Governors will acknowledge receipt of the complaint within 5 school days. The Chair of Governors will review the Academy's investigation of the complaint and response given. The Chair may seek further information from staff and or students involved (with parents present) and may request the assistance of another governor in this process. The Chair may speak to or meet with the complainant and should again try to establish what outcome the complainant is seeking. A record of any meeting or discussion will be kept and copies provided to the complainant and complaint co-ordinator. The Chair will write to the complainant with the outcome of their investigation within 15 school days of the acknowledgment letter.

The complainant will be advised that they may make a further appeal to a panel of governors if they remain dissatisfied.

Complaints against the Chair of Governors will be carried out by the Headteacher at Stage 4.

Stage 5 – Review by the Complaints Panel of Governors

Complaints rarely reach this formal level, where the complainant is not satisfied by the response of either the Headteacher or Chair of Governors.

Stage 5 – Procedure

The complainant must submit a written request to the Chair of Governors for a review of their complaint by a panel of governors within 10 school days of receiving the Chair's response. The Clerk to the Governors will acknowledge the request within 5 school days and will advise the complainant that a review panel will be set up within 20 school days of receiving the request. The letter will also explain that the hearing will consider written evidence only from each side and that the complainant may submit any further relevant documents in advance of the hearing. Governors hearing the complaint will have no prior involvement with the complaint and at least one panel member will be independent of the management and running of the school.

All parties will be given 5 school days notice of the review date and the names of the participating governors. The hearing will be held in private but the governors may request the assistance of an independent education advisor to advise on procedural matters.

The aim of the review will be to consider whether the complaint has been investigated fairly and if there are any actions that could yet be taken to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised that it may only be possible to establish facts and not possible to make recommendations which will satisfy the complainant.

The Complaints panel of Governors will inform the complainant of the result and write to all relevant parties with the outcome of their review and within 10 school days of the panel meeting. The panel may express a view on the complaint and make recommendations for the future. The complainant will be advised that this concludes the Academy complaints procedure and that any further appeal must be made directly to the Secretary of State or Education Funding Agency as appropriate.

A copy of the panel's response will be provided to all parties.

Policy Developed by	Working party of the Curriculum and Student Progress Committee
Reviewing Committee	Learner Progress and Engagement
Adopted on	8 th May 2013
Revised on	27 th June 2018
Frequency of review	Every 3 years
Date of next review	Autumn 2020

Appendix A:
Meeting protocol

Appendix B:
Meeting check list

Appendix C:
Meeting record

GUIDANCE FOR STAFF ON CONCERN AND COMPLAINT HANDLING

General Principles

Publicity

Parents should always know how they can raise concerns or lodge a complaint. The policy should be available on the Academy website and also by paper. If requested. Parents should be provided with a copy of the meeting protocol leaflet at the earliest opportunity. (Appendix a)

Procedures should be as speedy as possible

Each stage of the procedure has known time limits. Where it is not possible to meet these, information about progress will be given to the complainant.

Support for complainant

If required, support for the complainant can be offered from individuals or organisations that are clearly separated from those complained against, such as Citizens Advice Bureaux and other local advice centres. Parents are invited to be accompanied by a friend, a relative or a representative at any stage of the procedure.

Support for the person complained against

Staff who may be questioned as part of a complaint investigation must feel they are being treated in a fair way and that they too will have an opportunity to put their case. They will be told about the procedure and kept informed of progress. There is an important balance to be maintained between supporting the individual so that their rights and reputation are protected during the course of an investigation and ensuring the complaint is fully investigated

The complaints procedure is distinct from formal disciplinary proceedings for staff. There may be occasions where a complaint launches a disciplinary procedure which puts the complaints procedure on hold. If so, the complainant will be informed and any non-disciplinary aspects of the complaint will be dealt with by the usual complaints procedure.

Confidentiality

All conversations and correspondence will be treated with discretion. Parents need to feel confident that their complaint will not penalise their child. From the outset all parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure

Redress

If the outcome of the complaint shows the Academy is at fault it will be appropriate to offer one or more of: an apology, an explanation, an assurance that the event complained of will not recur, or an undertaking to review Academy policies.

Staff awareness and training

Staff confidence in handling complaints depends on their having clear information about procedures, and relevant training in the practical interpersonal skills needed in dealing with people who are upset or angry. All staff will have clear information about which staff have responsibilities so that complaints do not get passed from one person to another. All staff will refer to the Meeting Checklist for guidance on conducting face to face meetings. (Appendix b)

Record Keeping

All meetings with parents to discuss a concern should be recorded using the meeting record form. (Appendix c) Complaints will be recorded by the Complaints Co-ordinator and monitored termly by the SLT. The Curriculum and Student Progress will be advised of a formal complaint having been received but not of the details of that complaint to maintain impartiality.