



Holbrook Academy

POLICY FOR DEALING WITH CONCERNS AND COMPLAINTS

Date Approved	Quality & Monitoring Committee	
	Governing Body	8 th July 2015
Signed	Tim Fenton Chair of Governors	
Minuted	8 th July 2015	
Date of Next Review	Quality and Monitoring Committee	Summer 2017
	Governing Body	

The Academy's nominated Complaints Co-ordinator is Miss Nicola Shelley.

WHOLE SCHOOL POLICY DEALING WITH COMPLAINTS

Policy Consultation & Review

This policy has been authorised by the Governors, is addressed to all members of staff and volunteers and is available to parents on request. It is published on the Academy website referred and is available on request from the Academy Office. We also inform parents and carers about this policy when their children join our academy and through our Academy Newsletter.

This policy takes account of the Academy's public sector equality duty set out in section 149 of the Equality Act 2010. It can be made available in large print or other accessible format if required. It applies wherever staff or volunteers are working with pupils even where this is away from the Academy, for example at an activity centre or on an educational visit.

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1. Policy Aim and Statement

- 1.1 **Aim:** The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
- 1.2 **Policy statement:** We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our culture. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his / her opportunities at this Academy. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.
- 1.3 **Application:** Separate procedures apply in the event of a child protection issue, or in relation to admissions or exclusions.

STAGE 1 - THE FIRST CONTACT: GUIDELINES FOR DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

If you have a concern/complaint you may register it, either verbally, or in writing. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name, contact address, phone number and brief details of the concern/complaint. This information will be relayed to the Complaints Co-ordinator at the earliest opportunity and a check made later to make sure that action is being taken and that it has been recorded in the Academy's log.

An opportunity will be given to discuss your concern/complaint with an appropriate member of staff, who will clarify the nature of the concern/complaint and the outcome required.

The Complaints Co-ordinator will identify the appropriate procedure and either conduct the investigation themselves, or nominate an appropriate colleague to do so. The Co-ordinator will make sure that you are clear about what action or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear.

Where no satisfactory solution has been found within **10 academy working days** at the latest, the Complaints Co-ordinator will ask if you want a formal complaint to be registered.

STAGE TWO - FORMAL REFERRAL TO THE HEADTEACHER

If the complaint is about the Headteacher, or the Headteacher has been so involved as not to be impartial, you must put your complaint in writing, address it to the Chair of the Governing Body and send it to the Academy's address.

Otherwise:

The complaint should be submitted in writing to the Headteacher. (The complaint form at Annex B may be used if you wish to do so).

Where the Headteacher has acted as Complaints Co-ordinator at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the investigator.

Your complaint should be acknowledged in writing within **three academy working days**, giving the name and telephone number of the person who will conduct the investigation and a target date for providing a response - this should normally be within **10 academy working days**. If there is any delay, a written explanation and revised target date should be sent.

The investigator may ask you to meet with them, to give extra information, or to explain any information provided previously. Every effort will be made to arrange a time and date convenient to you, with a minimum of 3 working days' notice. You will be able to take a friend, relative, representative or advocate who can speak on your behalf. Interpreting facilities will be made available if needed. The venue will be suitable for those with special needs, e.g. wheelchair access, hearing loop.

The investigator will interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed.

Written records of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two years. These are confidential to the Academy, but will be the basis of a report of the investigation if you request one.

Once all the relevant facts have been established, the Headteacher or representative will produce a report and a written response to you. They may meet with you to discuss the outcome and resolve any outstanding concerns.

The written response will include:

- a full explanation of the decision reached and the reasons for it, including clarification of any misunderstandings by any of the parties involved
- where applicable, what action the academy will take to address the complaint and prevent recurrence, which might include an undertaking to review Academy policies
- an apology if appropriate.
- information on how to request a review by the governing body, including the timescale, if you are not satisfied with the outcome.

STAGE THREE - GOVERNING BODY REVIEW OF HEADTEACHER'S OR CHAIR'S INVESTIGATION

A request to review a complaint investigation should be made in writing to the Chair of the Governing Body, within **28 academy working days** of receipt of the outcome letter and should give the grounds for a review.

These grounds are limited to:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of Academy policy

The Governing Body will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by you. These must be governors who have had no prior involvement with the complaint.

If the Chair of the Governing Body has not previously been involved, s/he will chair the Panel, otherwise the Vice-Chair will do it. The Headteacher, or others involved in the original investigation, should not have a place on the panel. If the complaint is from a parent, Governors will bear in mind the advantage of having a parent governor on the Panel and will also be sensitive to issues of race, gender and religious affiliation, to ensure a fair and balanced hearing of the case.

The Clerk convenes the Complaints Panel within 28 academy working days of receipt of the review request and at the same time provides panel members with copies of all relevant correspondence and documentation. If this is extensive, the Chair of the Panel should prepare a thorough summary for the other members.

You, the Headteacher and other witnesses will be given a minimum of **5 academy working days** notice of the hearing. You will be advised of your right to bring a friend, or to be represented by someone of your choice.

The Panel meeting will be kept as informal as possible and a “round table” type of meeting will be adopted where possible.

POSSIBLE OUTCOMES OF A REVIEW

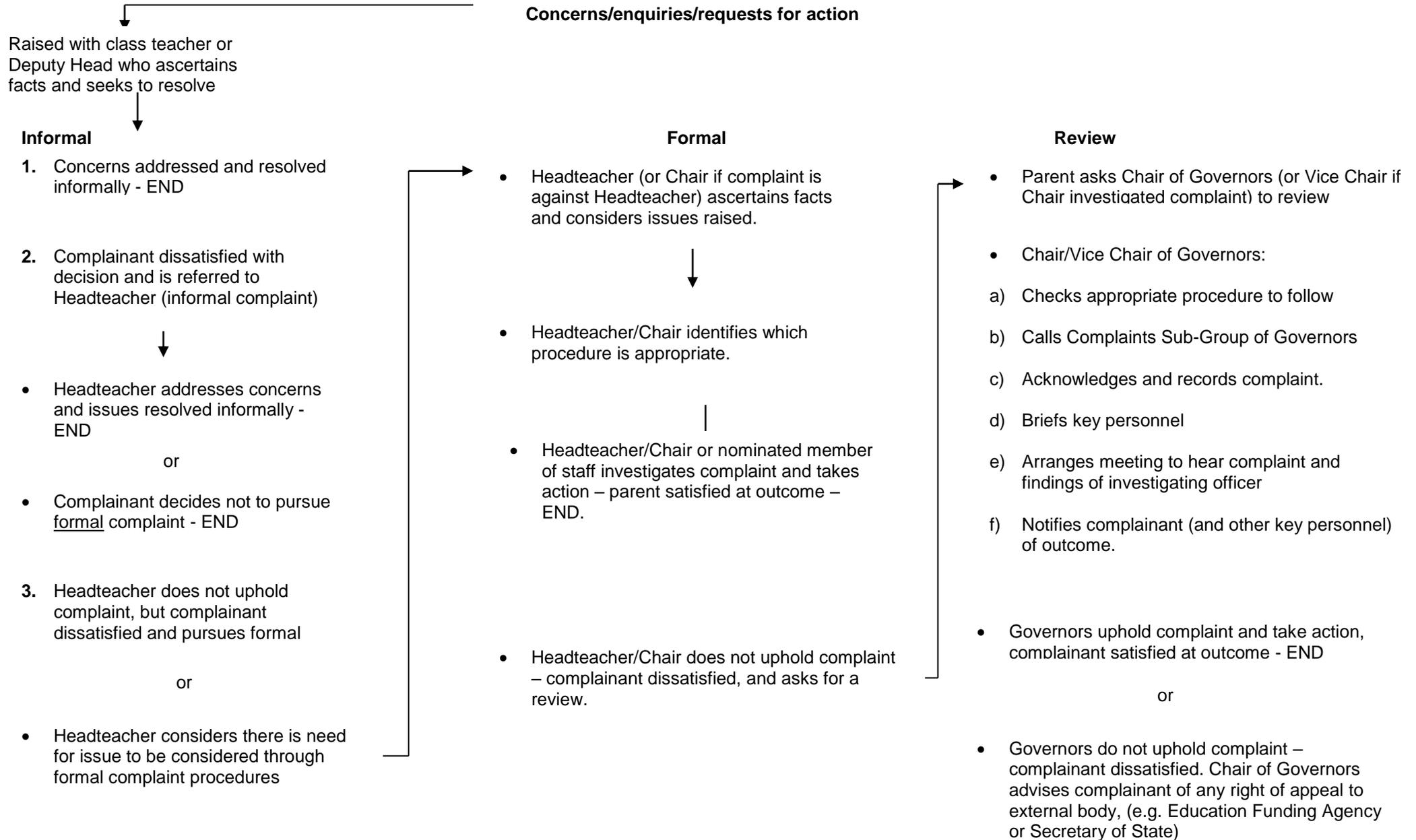
- uphold the result of the original investigation, in which case a full explanation will be given
- find the complaint was justified and overturn the original decision. In this case the Review Panel will issue an apology and if the provision of a service or other remedial action is required, will ensure this is put in hand quickly and consider implications for procedures, staff training etc.
- find there has been no malpractice or failure of service, but that policies or resources did not permit what the complainant wanted. In this case, the Review Panel will consider whether or not it is appropriate for the policy or allocation of resources to be reviewed and give a full explanation of what action will be taken.

The Chair of the Panel will notify you in writing of the outcome and advise you of any right of further appeal. If you are dissatisfied with the decision of the Complaints Panel, you may contact the Academies Central Unit (Academy Complaints), Education Funding Agency, Earlsdon Park, 53 – 55 Butts Road, Coventry CV1 3BH.

MONITORING AND REPORTING

The investigator will record the outcome in the Academy's complaints log and identify who is responsible for carrying out and monitoring any recommended action. The Headteacher will produce a regular analysis of complaints received for the Governing Body.

ANNEX A : FLOW CHART FOR CONCERNS AND COMPLAINTS RAISED WITH THE ACADEMY



Academy Complaints Procedure

What would you like us to do to make improvements or put things right?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Please also complete and return the attached Equal Opportunities monitoring form.

For Office Use

Date received:

Date acknowledgement sent:

By Who:

Date complaint logged:

By Who:

Complaint referred to:

Date:

Name.....

Academy Complaint Form

Equal opportunities monitoring

Data Protection Act 1998

The Personal Data that you provide will be used for the purpose of monitoring that all groups of people are able to access and use the complaints procedure and that we treat people fairly. The information that you give will be held securely and in confidence.

This information will not affect the way in which your complaint is handled. When you have filled in this form, please return it either with your complaint form, or if you prefer, after your complaint has been dealt with.

Gender: Are you: Female [] Male []

What age group do you fit into? (please tick one box only)

[] Under 16 [] 16 - 24 [] 25 -34 [] 35 - 49 [] 50 - 64 [] 65 - 79 [] 80+

What is your ethnic group?

Choose one section from a) – e) and then tick the one box you think best describes your cultural or ethnic background.

- a) White
[] British
[] Irish
[] Any other White background (please write in below)

- b) Mixed
[] White and Black Caribbean
[] White and Black African
[] White and Asian
[] Any other mixed background (please write in below)

- c) Asian or Asian British
[] Indian
[] Pakistani
[] Bangladeshi
[] Any other Asian background (please write in below)

- d) Black or Black British
[] Caribbean
[] African
[] Any other Black background (please write in below)

- e) Chinese or other ethnic group
[] Chinese
[] Any other (please write in below)

Do you consider yourself to be disabled or to have a long term health condition?

[] Yes [] No