Complaints Procedure

Policy Updated September 2014 and due regard given to the Equalities Act 2010
Concerns Procedure

Aims:
Our school aims to be fair, open and honest when dealing with any concern. All concerns will be given careful consideration and we will deal with them as swiftly as possible. We aim to solve any concern through dialogue and mutual understanding and, in all cases, we put the interests of the student above all other issues. We provide sufficient opportunity for any concern to be fully discussed, and then resolved.

1. Introduction

1.1 We believe that our academy provides a good education for all our students, and that the Principal and other staff work very hard to build positive relationships with all the parents and carers. However, if a concern or complaint does arise, the school has a policy and procedures in place in accordance with the terms of the Education (Independent School Standards)(England) Regulations 2010 Part 7 http://www.legislation.gov.uk/uksi/2010/1997/pdfs/uksi_20101997_en.pdf. The following policy sets out the procedures that the school follows in such cases.

1.2 If any parent or carer is unhappy with the education that their child is receiving, or has any concern relating to the academy, we encourage that person to talk to the child’s Tutor immediately. If a parent has a concern about a member of staff, please talk to the Principal in the first instance.

1.3 There are areas where concerns should be raised through other routes e.g:
- complaints which have an alternative statutory avenue of appeal or complaint, e.g. admissions, exclusions, SEN assessments. These are detailed in the relevant policies
- complaints which must be dealt with by specific employment procedures e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues
- 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
If at any stage in the procedure it becomes apparent that the complaint falls outside of this general complaints procedure, parents will be informed.

1.4 We deal with all complaints in accordance with the school’s policy and procedure. This includes complaints from people who are not parents of attending pupils e.g. local residents, stakeholders.

2. The informal concern process

2.1 If a parent or carer is concerned about anything to do with the education that we are providing at our academy they should, in the first instance, discuss the matter with their child’s Tutor. Most matters of concern can be dealt with in this way. The aim is to take action promptly at the lowest appropriate level in order to achieve a mutually acceptable solution.

2.2 All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child’s progress. The Tutor will either take action, or work with
appropriate colleagues to resolve the concern. If the Tutor is the subject for your concern please contact school and you will be advised who would be best to deal with your query. This would normally be the College Head.

2.3 Where a parent or carer feels, following interaction with staff, a situation has not been resolved, or that their concern is of a serious nature, they should make an appointment to discuss it with the Principal. The Principal considers any such concern very seriously and each case will be investigated thoroughly. Most concerns are normally resolved at this stage.

2.4 Should a parent or carer have a concern about the Principal, he/she should first make an informal approach to the Academy Board’s Complaint Governor.

2.5 If you feel that your concern has not been dealt with to your satisfaction you may write to our Academy Board’s Complaints Governor. Please complete form A at the back of this policy in order that we can deal with your concern more efficiently. Any correspondence to the Complaints Governor must be marked ‘confidential’ and addressed to Tuxford Academy. The governor in question will do all he/she can to resolve the issue through a dialogue with the school and yourself and the concern will be fully investigated. Where a concern is made that involves the Complaints Governor any correspondence should be sent to the Chair of Governors.

2.6 If a parent or carer is unhappy with the outcome he/she can make a formal complaint, as outlined below. Making an attempt at informal resolution does not mean that the complainant cannot make a formal complaint during the attempt, or if the attempt fails.

3. The formal complaints process

3.1 Only if an informal concern (as detailed above) fails to resolve the matter should a formal complaint be made to the Academy Board. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far and how they would like the situation resolved. The parent or carer should complete Form B at the end of this policy and send it to the school addressed private and confidential to the Chair of Governors, Tuxford Academy, Marnham Road, Tuxford, Newark, Nottinghamshire NG22 0JH. Where a complaint is made against the Chair of Governors, Form B should be used addressed to the Complaints Governor, Tuxford Academy, Manham Road, Tuxford, Newark, NG22 0JH.

3.2 A complaints panel (comprising of at least three people not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the school) will consider all written complaints within three working weeks of receipt. The Academy Improvement Support Manager will be informed that a formal complaint has been received if it relates to teaching or curriculum issues. The panel will arrange a meeting so the nature of the complaint can be understood, and the complainant/complainants have an opportunity so that he/she can explain the complaint in more detail. The complainant may, if they wish, bring a supporter with them. The academy will give the complainant at least 7 days notice of the meeting. The meeting will be minuted. There will be a focus on clarifying the actions the complainant feels would resolve the complaint.
3.3 At the meeting the complaints panel will consider the evidence collected and witness statements/or hear witnesses as appropriate. The panel will comprise of 3 or 5 members not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the school. The aim of the hearing, which is held in private, and is independent and impartial will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

3.4 The clerk will set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and the venue and proceedings are accessible. All written materials will be collated and sent to all parties at least 7 days in advance of the hearing. A copy of the procedure at the meeting will also be sent to all parties. All parties will be welcomed to the hearing and the proceedings recorded formally.

3.5 The chair of the panel will explain the remit of the panel to the parties and give each party the opportunity to put their case without undue interruption. Their role will be to ensure that all issues are addressed and key findings of fact are made. The committee may:
- 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 the school’s systems or procedures to ensure that problems of a similar nature do not recur.

Parents/carers should be put at ease and the chair will ensure that each party treats the other with respect and courtesy. The panel members will be reminded that they should be open minded, act independently and no member of the panel should have a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure. Each side will be given the opportunity to ask questions and state their case. Written material is seen by all parties in advance of the meeting.

3.6 After listening to all parties and all the evidence, the complaints panel will consider their decision and inform the parent or carer about the outcome in writing. The panel will do all they can at this stage to resolve the complaint to the parent’s or carer’s satisfaction. However, it is recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

3.7 When a complaint concerns the whole of the Academy Board of the school, an independent complaints panel may be drawn from governors of other schools who have no connection with the complaint.

3.8 If the complainant thinks the complaints panel did not provide them with a fair hearing / deal with the complaint properly, a governor panel made up of three governors from schools within the Diverse Academies Learning Partnership (all of which will be independent of the academy who received the complaint and will not have any prior knowledge of the complaint) may hear the case. Their purpose is not to re-investigate the complaint but to review the process. They will not meet to overturn the outcome.
3.9 This procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chairman of the Academy Board is able under this policy to inform them in writing that the procedure has been exhausted and that the matter is closed.

3.10 If any parent or carer is still not content that the complaint has been dealt with properly, then he/she is entitled to appeal to the Academies Group- Central Division, Education Funding Agency, 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH,

email academy.questions@education.gsi.gov.uk

3.11 In considering the concerns raised by parents, the academy may also refer and work to the Academy’s Persistent Complaints and Harassment Policy a copy of which is available on the academy’s website or from the school http://www.tuxford-ac.org.uk/Forms-and-Policies

4. Monitoring and review

4.1 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 which responsibilities so that complainants do not get passed from one person to another.

4.2 The governors monitor the complaints policy and procedure, in order to ensure that all complaints are handled properly. Formal complaints received by the school are logged. Governors will examine this log. The resolution of the complaint is recorded.

4.3 Governors take into account any local or national decisions that affect the school’s complaints process, and make any modifications necessary to this policy. This policy is made available to all parents and carers, so that they can be properly informed about the school’s complaints process.

4.4 The Complaints Policy and associated forms are available through the Tuxford Academy web site http://www.tuxford-ac.org.uk/Forms-and-Policies. A printed version and versions that support those with disabilities can be obtained from the school office available in response to a personal visit, a telephone request, by letter or email.

Policy Updated September 2014 and due regard given to the Equalities Act 2010

Reviewed: October 2014

Signed Chair of Governors
Informal Concerns – Flow diagram.

If, due to investigations taking place the timescales noted in the diagrams below are unable to be met the complainant will be informed.

- Parent/Carer contacts tutor
  - Tutor takes action and reports outcome to parent/carer within 5 working days
    - Tutor consults appropriate colleagues
    - Parent/carer makes appointment and meets with Head of College/Principal within 10 working days
      - Concern closed by parent/carer
      - Principal investigates concern and reports outcome to parent/carer within 5 working days
        - Concern closed by parent/carer
        - Parent/carer completes “concerns” form (Form A) and despatches for Complaints Governor
          - Concern closed by parent/carer
          - Complaints Governor investigates and reports outcome to parent/carer within 10 working days
            - Concern closed by parent/carer
            - Parent/Carer decides to take matter through complaints process
Formal Complaints – Flow diagram

If, due to investigations taking place the timescales noted in the diagrams below are unable to be met the complainant will be informed

1. Parent / carer completes complaints form (form B) and sends to Chair Governors

2. Complaints panel formed and meeting arranged. Parents advised within 5 working days with meeting held within 20 working days

3. Witness statements, evidence gathered and process information distributed 5 working days before the meeting

4. Hearing takes place - panel retires to consider information provided

5. Panel makes parties aware of conclusions within 5 working days

6. Governor panel from Academy Trust Partnership formed to review process within 20 working days

7. Process reviewed, report made and any recommendations received within 5 working days of the meeting

8. Complaint closed, appropriate actions taken including lessons learned

9. Parent / carer not satisfied with outcome appeals to Academies Group (details at No. 10 above)
Tuxford Academy - School Informal Concern Form A

Please complete and return to the Complaints Governor Tuxford Academy Marnham Road Tuxford Newark Notts NG22 0JH, who will acknowledge receipt and explain what action will be taken.

<table>
<thead>
<tr>
<th>Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Student’s name:</td>
<td></td>
</tr>
<tr>
<td>Your relationship to the student:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Telephone number:</td>
<td></td>
</tr>
<tr>
<td>Detail of concern (continue on a separate sheet if necessary):</td>
<td></td>
</tr>
<tr>
<td>Details of action you have already taken to try and resolve your concern. Who did you speak to and what was the response:</td>
<td></td>
</tr>
<tr>
<td>What actions do you feel might resolve the problem at this stage:</td>
<td></td>
</tr>
<tr>
<td>Are you attaching paperwork? If so please give details:</td>
<td></td>
</tr>
<tr>
<td>Signature:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td></td>
</tr>
</tbody>
</table>

For school use only:

Date acknowledgement letter sent: By Whom:

Concern referred to: Date:
**Tuxford Academy - School Formal Complaints Form B**

Please complete and return to the Chair of Governors, Tuxford Academy, Marnham Road, Tuxford, Newark, Notts, NG22 0JH who will acknowledge receipt and explain what action will be taken.

<table>
<thead>
<tr>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student’s name:</td>
</tr>
<tr>
<td>Your relationship to the student:</td>
</tr>
<tr>
<td>Address:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and Details of your original concern:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Detail of complaint:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of discussions with the complaints governor and the reasons why you do not feel your complaint has been satisfied:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>What actions do you feel might resolve the problem at this stage:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you attaching paperwork or additional paperwork to that already provided? If so please give details:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>For school use only:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date acknowledgement letter sent:</th>
<th>By Whom:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaint referred to:</td>
<td>Date:</td>
</tr>
</tbody>
</table>