



# Complaints Procedure

August 2018

## **Introduction**

This document sets out the Trust's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about any Academy within the Trust or the education provided, please discuss the matter with the Headteacher at the earliest opportunity. If your concern is about the Headteacher. Please approach the Executive Headteacher or the Chair of Governors. The Trust considers any concerns very seriously and most problems can be resolved at this stage. Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by Trust staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from any Academy. All other complaints are handled by each Academy according to the arrangements set out below.

## **Aims and Objectives**

Each Academy will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

## **Framework of Principles**

- be easily accessible and publicised
- be simple to use and understand
- 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 by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the Academy's senior management team so that services can be improved.

## **Formal Complaints Procedure**

### **Stage 1**

If you feel that a concern has not been addressed through informal discussion with the Class Teacher or Year Group Leader, and you wish to have the matter formally investigated by an appropriate person from the Academy, please complete a complaint form available from the Academy. If you would like help completing the form, the Academy will be happy to provide the assistance of someone unconnected with the complaint.

If the matter is about:

- the day-to-day running of the Academy
- the interpretation of Academy policies
- the actions or inactions of staff at the Academy

it will be investigated by the Headteacher or a senior member of staff nominated by the Headteacher.

If the matter is about:

- Academy policies as determined by the governing body
- the actions or inactions of the governing body
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it will be investigated by the Chairman of Governors or a governor nominated by the Chairman.

If the matter is about the Headteacher, it will be investigated by the Executive Headteacher. If this is the case, then the Executive Headteacher may commission an independent investigator to look into the matter.

Parents should address letters for the attention of the Headteacher, the Chairman of Governors or the Executive Headteacher as appropriate, and hand it in to the Academy Office. The person carrying out the investigation will review the way in which complaint has been handled by the Academy and ensure that the issues have been dealt with properly and fairly. He/she will normally write to you with the outcome of this process within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

## **Stage 2**

If you are not satisfied with the result from Stage 1, you may choose to refer your complaint to Stage 2 of the procedure. This must be done in writing to the Academy within 15 working days of the completion of Stage 1. The Academy will write acknowledging receipt of the written request, informing the complainant that it will be heard by the local governing body within 15 working days. If the complaint is about the Headteacher, then the complaint will be heard by the board of directors. At this Stage, the complaint will be considered by a panel of three governors or three directors depending on who carried out the investigation in Stage 1 and who the complaint was about:

A. If Stage 1 was investigated by the Headteacher or a senior member of staff nominated by the Headteacher, the Chairman or nominated governor will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. The general principle is that the Academy should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the Academy's procedure. If they have any concerns, they may ask the Headteacher to re-open the investigation. The complainant will be kept informed of any delay. If the complainant is not satisfied after the Chairman or nominated governor has completed their review, a panel of three governors will meet to consider the complaint and make a final decision about it on behalf of the governing body.

B. When Stage 1 has been investigated by the Chairman or nominated governor, Stage 2 will be carried out by a panel of three governors, who will meet to consider the complaint and make a final decision about it on behalf of the governing body.

C. When Stage 1 has been investigated by the Executive Headteacher, Stage 2 will be carried out by a panel of three directors, who will meet to consider the complaint and make a final decision about it on behalf of the Trust.

In either A, B or C, the panel will consist of governors or directors who have no detailed prior knowledge of the complaint, or connection with the complainant. There will always be at least one governor or director who is completely independent of the management and running of the school. The meeting will normally take place within 15 working days of your request. You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case. The Headteacher will be given the same opportunities. The panel will write to you with its conclusion within five working days of the meeting.

If you are not satisfied with the decision of the panel of governors, you may choose to refer your complaint to be heard by a panel made up of directors of BMET.

The decision of this panel is final. If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education and Skills.

### **Monitoring and Review**

The governing body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the respective Academy, records how they were resolved and keeps a record of complaints which is available for inspection on the school premises. All records and correspondence relating to the complaint will remain confidential but with findings and recommendations provided to the complainant and the person being complained about.

Governors examine this log on an annual basis and consider the need for any changes to the procedure.

### **Availability**

A copy of this procedure is available to all parents on request and is also contained on the Academy website.

Review Date: September 2020

## Appendix One - Complaint form

Please complete and return to .....(complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated

**What action, if any, have you already taken to try and resolve your complaint.**

**(Who did you speak to/write to and what was the response)?**

**What actions do you feel might resolve the problem at this stage?**

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**