



Complaints Policy

April 2017



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Oak Learning Trust Complaints Policy

1. Introduction

- 1.1 We strive to provide a high quality education for all our children. The Executive Head Teacher and staff work very hard to build positive relationships with all parents and carers. However, it is important that the academy has procedures in place through which parents and carers can exercise their right to complain about aspects of the academy's policy or practice, if they have concerns which have not been resolved through the normal channels of communication. This policy sets out the procedures which the academy follows in such cases.
- 1.2 If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the academy, we encourage them to talk to the child's class teacher immediately. We always seek to resolve any concerns as quickly as possible, in the best interests of the child. In the vast majority of such cases, issues can be resolved to the satisfaction of parents and carers without recourse to formal procedures.
- 1.3 All parents and carers have the right, as a last resort, to appeal to the Regional Academy Commissioner or Secretary of State for Education, if they still feel that their complaint has not been properly addressed. Parents may also contact Ofsted.

2. Approval and Review

- 2.1 This policy was recommended to the Board of Oak Learning Trust by the Executive Head Teacher and approved by the Board on 18th April 2017.
- 2.2 This policy will be reviewed not less frequently than every three years however may be reviewed before this time should regulations change or advice as to its improvement be received.
- 2.3 Next review date 18 April 2018.

3. Aims and Objectives

- 3.1 Our academy aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.
 - 3.1.1 Assure all parents that we will consider all complaints seriously;
 - 3.1.2 Set out how we will manage the complaints process

- 3.1.3 Make clear the roles and responsibilities of staff in responding to any complaints
- 3.1.4 Provide information to parents and carers if they wish to make a complaint.

4. **The Complaints Process**

Stage 1

- 4.1 If a parent or carer is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.
- 4.2 Where parents or carers feel that a situation is still not resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Phase Leader.
- 4.3 Where parents or carers feel that a situation has still not been resolved through contact with the Phase Leader, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Head of School.
- 4.4 An unresolved concern which needs investigation, or a more serious dissatisfaction with some aspect of the Academy's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Head of School or the Chair of Governors, as appropriate (complaints regarding the Head of School should go to the Chair of Governors). Should a formal written complaint be received by another member of the academy's staff, this should be immediately passed it to the Head of School, the appropriate SLT line leader or Chair of Governors.
- 4.5 **Acknowledgement:** The complaint will be acknowledged in writing normally within 3 working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.
- 4.6 **Investigation and resolution:** The Head of School may deal with the matter personally or delegate a senior member of staff to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the Head of School or investigating officer will meet or speak with the parent/carers to discuss the matter.
- 4.7 **Outcome:** The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the

complaint. Please note that any complaint received during a School holiday or within 15 working days of the end of term or half term may take longer to resolve.

- 4.8 Unresolved Complaints: Where the complainant is not satisfied with the academy's response to their complaint they may have their complaint considered by an independent Complaints Panel.
- 4.9 In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent. Members of the Local Governing Body who are approached informally by a parent or carer with a complaint about the academy will always refer the parent back to the Head of School or an appropriate member of the academy staff. Only when such steps at stage 1 have been followed and the parent remains dissatisfied should the complaint be taken forward to the governing body. Should any parents or carers have a complaint about the Head of School which cannot be resolved through discussion with him/her, then it may be appropriate to contact the Local Governing Body directly.

5. Stage 2

- 5.1 Only if an informal complaint at stage 1 fails to resolve the matter should a formal complaint be made to the governing body (stage 2). This must be made in writing, stating the nature of the complaint, and how the academy has handled it so far. The parent should send this written complaint to the Chair of the Local Governing Body.
- 5.2 The Chair of the Local Governing Body or another nominated governor will investigate the issue to ensure that stage 1 of the process has been followed and that the academy has responded properly to the complaint at the informal stage.
- 5.3 The Chair or other nominated governor will convene a panel to hear and consider the complaint. The panel will consist of at least 2 people who were not directly involved in the matter detailed in the complaint, at least one of whom is also independent of the management and running of the academy.
- 5.4 The panel will invite the complainant to a hearing, where s/he can explain the complaint in more detail. The academy must give the complainant at least five days' notice of the meeting, and the opportunity to submit further information in writing if they so wish.
- 5.5 The complainant may take a friend, representative or interpreter with them to the meeting if they so wish.
- 5.6 After hearing the complaint and all the evidence, the panel may ask questions to clarify any issues. They will also hear from the Head of School, who will present the academy's position, and will question him/her about this. The panel will then consider their

decision and inform the complainant about it in writing. The governors will do all they can at this stage (stage 2) to resolve the complaint to the complainant's satisfaction.

Stage 3

- 5.7 If the complaint is not resolved to the complainant's satisfaction at stage 2 the complainant may refer the matter to Oak Learning Trust. The Trust will appoint an appropriate person, normally either the Director of Operations, the CEO or a member of the Board.
- 5.8 A complaint to Oak Learning Trust should be made in writing and outline the nature of the complaint and the manner in which the complaint has been dealt with thus far.
- 5.9 Oak Learning Trust will acknowledge receipt of the complaint within 10 working days.
- 5.10 Oak Learning Trust will investigate the nature of the complaint and the procedure to ensure that stages 1 and 2 were carried out in line with this policy.
- 5.11 The investigating officer will convene a meeting with the complainant. Any material which the complainant feels should be brought to the attention of the investigating officer should be raised at this meeting and, where possible, submitted in good time before hand. The complainant may be accompanied to this meeting as outlined in 5.5, above.
- 5.12 The investigating officer will convene a meeting with the Head of School so as to ascertain the academy's position.
- 5.13 The investigating officer will endeavour to respond to the complaint within fifteen working days. If this is not possible the investigating officer will write to the complainant, informing him of the delay, and providing a new date by which he/she hopes the investigation will be concluded.
- 5.14 The investigating officer will write to the complainant informing him of his decision.
- 5.15 There are no further stages or redress within Oak Learning Trust.

Amendments to this Procedure

- 5.16 There may be instances where following this procedure is not appropriate. In such circumstances the stages of this procedure may be omitted or amended.
- 5.17 If the complaint relates to the Head of Academy or Executive Head Teacher, stage 2 will be omitted.
- 5.18 In the case of a formal complaint, stages 1 and 2 will be omitted.

- 5.19 Should the stage 3 investigating officer feel it appropriate, the complaint can be referred to the whole Board, who will then undertake the duties of the stage 3 investigating officer, or delegate them to some other person.
- 5.20 Oak Learning Trust retains the right to bring in an external party to assist in their investigations, (an HR firm, auditor, or educational specialist for example). Whilst the complainant may request this, there is no onus upon Oak Learning Trust to grant this request.
- 5.21 Oak Learning Trust may decline to hear the complaint at stage 3 if they believe that the complaint is vexatious, has been resolved, or is lacking in merit.

6. Uses of this Policy

6.1 Who May Use This Policy?

This policy may be used by anyone who has a concern or complaint about any aspect of the academy. In the main this will mean the parents and carers of the academy's pupils, but may include neighbours of the academy, or any other members of the local community.

6.2 Circumstances Under Which This Policy Should Not Be Used

This procedure should not be used for complaints about the following:

- The national curriculum;
- Collective worship;
- Religious education;
- Non-approved external qualifications or syllabuses;
- Temporary withdrawal of pupils from all or part of the national curriculum;
- Pupil admissions;
- Pupil exclusions.

- 6.3 Issues related to child protection, criminal investigations and employee grievances must also all be handled separately from this policy.
- 6.4 This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures
- 6.5 If another policy is more appropriate than this complaints policy for any given situation then it should be used in preference to it.