

## Complaints Policy

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Authorised by: J Morris \_\_\_\_\_ Date: 6.7.17 \_\_\_\_\_

Approved by: J Ash-Edwards \_\_\_\_\_ Date: 12.7.17 \_\_\_\_\_.

Custodian: J Morris \_\_\_\_\_ Date: 6.7.17 \_\_\_\_\_

# COMPLAINTS POLICY

## 1. BACKGROUND

- 1.1 This policy addresses general complaints. Complaints about the curriculum, collective worship, racist incidents or provision for children with special educational needs may be subject to separate procedures.
- 1.2 This policy is based on West Sussex County Council's Model Policy and Procedures for General Complaints.
- 1.3 We will deal with complaints openly, fairly, promptly and without prejudice.
- 1.4 We will respect people's desire for confidentiality where necessary.
- 1.5 In dealing with a complaint against the actions of a member of staff, the staff member's own rights to fair treatment set out in our Employee Relations policies will be safeguarded. If, as a result of the investigation, issues arise relating to staff discipline or capability, details will remain confidential to the Head Teacher. However, the complainant will be informed that the appropriate follow-up action has been taken.
- 1.6 There is a staged approach to dealing with complaints at Sussex Learning Trust academies incorporating informal and formal stages. We wish to make every effort to deal with complaints informally at school level in partnership with the complainant. The formal stages should only be triggered in exceptional circumstances where matters cannot be resolved informally.
- 1.7 Written records are kept of all complaints and of whether they are resolved at the preliminary stage or proceed to a panel hearing.**
- 1.8 All correspondence, statements and records of complaints are to be kept confidential (except where the Secretary of State or a body conducting an inspection under section 162 of the 2002 Act requests access to them).

## 2. Policy Guidelines

### A. MAKING AND RESPONDING TO COMPLAINTS

#### Stage 1 – the Informal Stage

- 2.1 Most complaints about learning, teaching, rewards or sanctions, progress, aspects of discipline, class composition and other related matters should be resolved through informal telephone, email or written contact with a class teacher or Key Stage Leader (primary academy) or teacher, Curriculum Leader or Head of Year (secondary academy). Complainants who are unsure of contact details for appropriate staff at the secondary academy should email their enquiry to the Headteacher's PA.
- 2.2 Serious or more general complaints about learning, teaching, rewards or sanctions, progress, aspects of discipline, class composition and other related matters should be made to the appropriate Assistant Head Teacher, in a secondary academy, or to the Deputy Head Teacher in a primary academy. Contact details will be sent to parents at the start of the academic year and will be posted on the individual academies website (*Complainants who might have difficulty discussing their complaint with the teacher, Curriculum Leader or their child's Head of Year (secondary academy) or Key Stage*

*Leader or Assistant/Deputy Head Teacher (primary academy) should go to Stage 2 of this policy.)*

- 2.3 Complainants should expect an acknowledgement of their complaint within one working day. Within three working days they should receive information about who is dealing with the complaint.
- 2.4 The member of staff dealing with the complaint will ensure that the complainant is reassured that the matter will be investigated, that confidentiality will be respected and is clear what action has been agreed.
- 2.5 A brief record of any communications, meetings and agreed actions will be retained for future reference.
- 2.6 If either the complainant feels that the complaint has not been resolved or the staff member feels the matter should be taken further, then the primary or secondary academy's Head Teacher should be contacted.
- 2.7 Any person expressing continued dissatisfaction will be advised of the next stage of the procedure.

### **Stage 2 – The Formal Stage (Head Teacher)**

- 2.8 Complaints that remain unresolved through the informal stage above **or** which are of a serious and urgent nature or where the complainant is otherwise unwilling to contact teacher, Curriculum Leader, or Head of Year or Assistant Head Teacher (secondary academy) or Key Stage Leader or Assistant/Deputy Head Teacher (primary academy), should be referred to the Head Teacher who will investigate the matter.
- 2.9 The Head Teacher will always check that relevant staff are aware of and/or have had the opportunity to resolve the complaint. Where this is not the case the Head Teacher will approach the relevant member of staff in order to seek a resolution of the matter.
- 2.10 Any meetings that are held with the complainant in relation to the complaint will be held within ten working days unless, in the case of more complex matters, an extension to this time limit is agreed.
- 2.11 The Head Teacher will keep notes of the complaint, the investigation and consequent actions.

### **Stage 3 – The Formal Stage (Governors)**

- 2.12 **Governors will only proceed with this stage if a complaint has been received in writing and appropriate previous stages set out in this policy have been exhausted**
- 2.13 Complainants should write to the Chair of Governors c/o the academy office marking the envelope "private and confidential". Acknowledgement of the written complaint will normally be sent to the complainant within five working days. *(If the complainant is against the Chair of Governors, then the complainant should address their letter to the Vice Chair of Governors who will deal with the matter according to the procedures outlined in this policy.)*
- 2.14 The Chair of Governors will make the Head Teacher aware of the complaint and determine its seriousness. In appropriate cases, where the Head Teacher is unaware of the complaint, the Chair of Governors will ask the head Teacher to deal with it

according to Stage 2 above. If, after preliminary enquiries, the Chair of Governors feels the complaint to be vexatious, it will be dismissed. If, after preliminary enquiries, the Chair of Governors feels that there is merit in the complaint, then he or she will arrange for a Governor to conduct another formal investigation.

- 2.15 Investigations will be conducted as soon as possible after the complaint has been received.
  - 2.16 If, as a result of the investigation, issues arise relating to staff discipline or capability, about which the Head Teacher has already taken action, the Governors will focus on how the original complaint was managed to avoid prejudicing any on-going disciplinary or capability procedures.
  - 2.17 The investigating Governor will ask the Clerk to the Governors to convene a panel of three Governors to hear the complaint. They will meet within fifteen working days of the investigation having been completed. To avoid a conflict of interest and to ensure that the process is fair and objective, any Governor who has been significantly involved in the original complaint (ie has had a detailed conversation with the complainant about the matter or has received a detailed briefing from the senior member of staff dealing with the complaint) will not be on the governor panel. The panel will include at least one Governor who is independent of the management of the academy. Parents will be allowed to attend the panel hearing and may be accompanied if they so wish. Local Governing Body's may invite a Trustee(s) to be part of the panel if they are not able to convene a panel of three Governors themselves, for any reason.
  - 2.18 The Chair of the panel will decide whether just to consider written material or to hear submissions. The Chair of the panel will notify the Head Teacher and the complainant whether they will be invited to attend the panel meeting. Both parties must be treated equally. If the Head Teacher is invited, the complainant must be invited and vice versa.
  - 2.19 The panel will make findings and recommendations and these will be sent by electronic mail or otherwise to the complainant and where relevant, the person complained about. They will also be available for the Head Teacher and the Chair of Governors to inspect.
  - 2.20 The Head Teacher and complainant will be informed of the panel's decision in writing within ten working days.
  - 2.21 This is the final stage of the Trust's complaints procedure.
- 3. MONITORING AND EVALUATION**
- 3.1. The Head Teacher will monitor the number and nature of complaints so that the school's practices and procedures can be improved. The Head Teacher will report on any trends in complaints to the Governing Body annually. The Governing Body will conduct a triennial review of policy and provision.

## Document Version Control

| Date   | Version | Comment   | Ratified by                    | Reviewer |
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| 5.6.17 | 2       | 2.3 Complainants should expect an acknowledgement of their complaint within one working day. Within three working days they should receive information about who is dealing with the complaint. | Board of Trustees<br>(12.7.17) | J Morris |