



# Hollinsclough C of E Academy

## Complaints Policy: 2016

### Mission Statement

*To encourage high levels of achievement through the enthusiasm and joy of learning, coupled with a creative curriculum and a holistic approach to education that reflects Christian values and supports our community.*

*We guarantee accessibility and availability to all.'*

### ***Developing potential***

### **Our Equality Duty**

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

### **British Values**

Children who attend our academy experience an enabling environment in which they will develop self-knowledge, self-esteem and self-confidence. Coupled with this they will develop the ability to distinguish right from wrong and to respect the civil and criminal law of England.

Within this enabling environment your child or children will develop the ability over time to accept responsibility for their behaviour, show initiative, and to understand how they can contribute positively to the lives of those living and working in the locality of the academy and to society more widely.

Whilst with our academy parents can expect their children to acquire a broad general knowledge of and respect for public institutions and services in England, and to develop a personal character that is tolerant and can foster harmony between different cultural traditions, along with a respect for their own and other cultures.

We firmly believe and encourage our pupils to show respect for other people; and for democracy and the support for participation in the democratic processes, including respect for the basis on which the law is made and applied in England.

To be part of our academy it is unacceptable on the part of any stakeholder to promote discrimination against people or groups on the basis of their belief, opinion or background.

### **Aim**

This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with the Academy by parents of pupils as a matter of concern, but which has not been capable of resolution informally and which the complainant or the Academy consider should be dealt with on a formal basis.

### **Stage 1 – Informal Resolution**

We will manage most matters of concern on an informal basis. Where the matter relates to a pupil it will have been raised with the pupil's class teacher and / or Principal before a request is made to deal with it under this policy. If a matter is not resolved at the informal stage then a complainant may take it to the formal stage.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the Behaviour Code adopted from time to time.

The Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

### **Stage 2 – Formal Resolution at Local Level:** Investigation by a member of the Senior Leadership Team

The complainant must put their complaint in writing, addressed to the Principal, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the Academy has not met reasonable expectations.

An investigation will be carried out by a member of the Senior Leadership Team - made up of either the Principal or Bursar - who may offer the complainant a meeting and will also speak to

others involved. Whenever reasonably possible, any meeting with the complainant will take place within **15 school days** of the written complaint being received.

The investigator will put their findings in writing to the complainant and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within **15 school days** of the previous meeting with the complainant and if no meeting is to take place within **15 school days** of the complaint being received.

### **Stage 3 – Formal Resolution at Local Level (Panel Hearing)**

If the complainant is not satisfied with the response of the investigator, they may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise at least three people who were not directly involved in the matters detailed in the complaint including one person who is independent of the management and running of the Academy. That request must be in writing, addressed to the Clerk to the Governors at the Academy, within **10 school days** of the response from the SLT Investigator being sent to the complainant, and must set out briefly the reasons why the complainant is dissatisfied with the investigator's response.

The Clerk will invite the Complaints Panel to put in writing its response to the complainant's reasons. The Complaints Panel will do this within 15 school days and at the end of that period (whether or not the Academy has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Complaints Panel. **Whenever possible**, the meeting will be held within **15 school days** of the end of the Academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend, but legal representation **will not** be allowed.

The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put their reasons for dissatisfaction and to enlarge on them. The complainant is not permitted to introduce new reasons / complaints that were not previously put in writing. The Academy will have the opportunity to put its side of things, and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.

The Panel will formulate its response as quickly as reasonably possible, aiming to do so within **10 school days** of the panel meeting, and the Clerk to the Governors will notify all concerned.

The Panel findings and recommendations will be;

- sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about
- available for inspection on the Academy premises by the Academy Trust and the Principal

### **Attendance at a Complaints Panel Hearing**

The Complaints Panel will only be arranged if the complainant and / or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard.

Any further attempt by the complainant to re-open the matter will be considered as falling under the serial / persistent complainants section below.

Where the complainant remains dissatisfied they may request the complaint is dealt with under the MAT level Complaints Policy. Any such request **must** be set out in writing, to the Bursley Multi-Academy Trust, Bursley Way, Bradwell, Newcastle-under-Lyme, Staffordshire. ST5 8JQ stating where the complainant remains dissatisfied and lodged within **10 school days** of the complainant receiving the findings in writing.

### **Complaints relating to the Principal**

Any complaint relating to the Principal of the academy must be raised in the first instance with the Executive Principal who will, if an informal resolution cannot be reached, designate a member of the Local Governing Body to investigate in the same way as in the first stage of the formal process outlined above.

### **Serial or persistent complainants**

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of the Academy Trust may write to the complainant to inform them that the procedure has been exhausted and the matter closed, that continued correspondence is vexatious and that the Academy Trust will not respond to any further correspondence on this issue or a closely related issue.

### **Record Keeping**

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, or at the MAT level. The action taken by the academy or the Academy Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

### **Confidentiality**

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

### **Implementation of this procedure / policy**

Our academy will manage implementation of this procedure / policy with the support and guidance of the appropriate body / bodies as defined at the time of writing.

### **General**

This procedure / policy and its guidance will always reflect the present and future needs of all stakeholders and to support this we are always open to suggestions for changes and alterations of and to any specific individual provision / requirement to ensure full access to all.

Signed...



Designation: Chair of Governors

Date... 12/05/2016

Signed...



Designation: Principal

Date... 12/05/2016

This procedure / policy is to be reviewed by Governors during Autumn Term 2017