



St Michael's Academy

St. Michael's Academy Policy for: Complaints	Date signed off: Spring 2018	No.
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Contents

STAGE ONE - Dealing With Concerns and Complaints Informally	2
STAGE TWO - Formal Referral to the Head Teacher	4
STAGE THREE – Local Governing Body Complaints Panel	5
Vexatious Complaints	7
Annex A – Complaints form – staff	8
Annex B - Complaint form	9

At St Michael's Academy we encourage all parents, carers and pupils to approach any member of staff in the first instance if they have a concern or a complaint. In the event that these initial approaches fail to resolve a complaint this policy lays out the procedures that should be followed to allay any concerns about a particular issue.

There are three stages to the complaints procedure:

Stage 1 – informal investigation of complaint

Stage 2 – complaint heard by Head teacher

Stage 3 – complaint heard by the local governing body's complaints panel

Anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the academy as soon as possible.

In the event that the complainant believes that St Michael's Academy has failed to comply with its own complaints procedure or that St Michael's Academy complaints procedures does not comply with statutory requirements the complainant may complain to DLAT central office.

If you do not understand any part of this policy please do not hesitate to contact the Head teacher or the member of the local governing body who is responsible for complaints. Your complaint will then be investigated fully, ensuring all the relevant facts are taken into consideration.

STAGE ONE - Dealing With Concerns and Complaints Informally

- A concern or complaint can be registered either verbally or in writing.
- Initially the complainant should speak to the relevant member of staff. However, if there is difficulty in discussing the issue with the relevant member of staff the complainant can be referred to another member of staff, who will clarify the nature of the issue and the outcome required.
- In the case of serious concerns it may be appropriate to address them to the Head teacher directly (or to the Chair of the Governing Body, if the complaint is about the Head teacher) If the member of staff first contacted cannot resolve the matter immediately, they should make a clear note of the date, name, contact address, phone number and brief details of the concern/complaint. This information will be passed to the Head teacher or Complaints Co-ordinator at the earliest opportunity and recorded in the St Michaels Academy complaints log.

The Headteacher will identify the appropriate procedure and either conduct the investigation or nominate an appropriate colleague to do so. Complainants should be encouraged to state what they feel might resolve the problem.

The Headteacher will communicate verbally with the complainant to ensure they are clear about what action or monitoring of the situation has been decided on, giving a date if appropriate and only putting this in writing if this seems the best way to make things clear

If a parent or pupil felt that their initial contact with a member of staff did not deal with the concern to their satisfaction they should complete a Complaints Form (Appendix B) and return it to the Head teacher.

If the complaint refers to the Head teacher then the Complaints Form should be returned to the Chair of Governors (contact details are available in confidence from the school office).

If the complaint concerns the governing body then the form should be returned to the Headteacher.

STAGE TWO - Formal Referral to the Head Teacher

Where the Head teacher has acted as Complaints Co-ordinator at stage one another senior member of staff may be nominated to investigate the complaint.

The complaint will be acknowledged in writing within **five school days**, giving the name of the person who will conduct the investigation and a target date for providing a response, usually within **10 school days**. (If the complaint is deemed serious enough the response time could incorporate holidays and weekends).

The nature of the complaint will be clarified and unresolved issues outlined. It will be established what has happened so far and who has been involved. A meeting will be arranged to ensure all the information relating to the complaint has been documented and to find out what action the complainant feels would put things right.

Everyone involved in the complaint will be interviewed, accompanied by a friend or companion or a representative, if they wish; to ensure that all the facts of the complaint are understood. A written record of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two year. These are confidential.

Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The person investigating the complaint will produce a report and a written response to the complainant. Whilst every effort will be made to complete investigations promptly, in some cases, requiring detailed investigations, and/or where a number of witnesses may need to be interviewed, it will take longer to produce a written response. Where this is the case the complainant will be advised of any revised timescale for production of the written response.

The written response will include:

- details of the agreed subject matter of the complaint
- details of who was contacted in connection with the subject matter of the complaint (and in brief) the evidence that was obtained
- a full explanation of the decision reached and the reasons for it.
- where applicable, what action St Michaels Academy will take to address the complaint and prevent recurrence.
- what to do if the complainant is not satisfied, information on how to request a review by the governing body and the timescale.

STAGE THREE – Local Governing Body Complaints Panel

A request to review a complaint investigation should be made in writing to the Chair of Governors within 28 academy days of receipt of the outcome letter and should give the reasons for requesting a review.

The Chair of Governors will convene a Complaints Panel consisting of two governors who should not have been involved in the early stages of the complaint and one person who is independent of the management and running of the academy.

A clerk will be appointed to the panel. The Clerk will usually convene the Complaints Panel hearing within 15 academy days of receipt of the review request. The Clerk will:

- set the meeting date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- where possible give a minimum of 5 academy days' notice of the hearing;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings and notify all parties of the panel's decision;

The Complaints Panel is the last academy based stage of the complaints process. Individual complaints would not be heard by the whole governing body at any stage as this would compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Complaints Panel can:

- 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 St Michaels Academy systems or procedures to ensure that problems of a similar nature do not recur.

It is important that the Complaints Panel hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the academy and the complainant. The panel chair will ensure that the proceedings are as welcoming as possible. The complainant may bring a friend or representative to the meeting, if they wish. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

The Chair of the Complaints Panel will notify the complainant of the panel's decision in writing within 5 academy days. Copies of the panel's findings or recommendations will be made available at St Michael's Academy. The letter will explain that in the event the complainant does not feel their complaint has been dealt with to their satisfaction then the final stage of appeal is that they have the right to contact the ESFA (Education & Skills Funding Agency). Complainants will need to be advised to write to the School Complaints Unit (SCU) at the DfE, 2nd floor, Piccadilly Gate, Manchester, M1 2WD.

Review of Complaints

A confidential written record will be kept of all complaints regardless of whether they were resolved at the preliminary stage or proceed to a panel hearing. All complaints will be kept for three years. The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Head teacher will report any official complaints in the Head teacher's Report to Governors.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to academy improvement. When individual complaints are heard the governing body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the academy and the local governing body will be a useful tool in evaluating the academy's performance.

Vexatious Complaints

It is the aim of St Michael's Academy to resolve all complaints to the satisfaction of all parties. However, if there is an occasion when, despite all stages of the complaints procedures having been followed, the complainant remains dissatisfied and tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Confidentiality

All complaint information will be handled sensitively, shared only with those who need to know, and used and stored with due regard to any relevant data protection requirements.

Publicising the Procedure

There is a legal requirement for the complaints procedure to be publicised. St Michaels Academy will include this information their website. A copy will also be included in the policy file held in the School office.

Review

There will be review of this policy every 3 years by the local governing body.

Annex A

Academy Complaints Procedure Complaint Form

Your Name:

Colleagues Name:

Reason for Complaint:

Annex B

Academy Complaints Procedure Complaint Form

Your Name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Reason for Complaint:

