

Torre C of E Academy

Complaints Policy



This policy is directly in line with guidance from the Department of Education and must be followed in all cases.

Introduction

Torre C of E Academy is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the academy, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All academy staff will be made aware of complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

The academy will seek to resolve all complaints through the informal stages but depending on the nature of the complaint, there may be a need to follow the academy's formal complaints procedure.

The academy will expect complaints to be made as soon as possible after an incident arises, and will generally not investigate if the complaint is brought more than 3 months from the original incident. However, the academy will consider exceptions to this on occasions.

The prime aim of the policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

Malicious complaints made by parents or the community or members of staff may incur appropriate legal action by the school.

Torre Academy's Complaint Policy has four main stages. In summary these are as follows:

Stage 1 – Informal: complaint heard by staff member

Stage 2 – Formal: complaint heard by Head teacher

Stage 3 – Formal: complaint heard by Chair of Governors

Stage 4 – Formal: complaint heard by GB's complaints appeal panel

Time limits

Every effort will be made to ensure complaints are considered and resolved as quickly, and efficiently as possible. However, if the complaint requires additional time to investigate thoroughly, you will be notified of the change in timescales and an explanation for the delay.

Serial or Persistent Complainants

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant contacts the academy again on the same issue, then the correspondence maybe recognized as 'serial' or 'persistent' and the school may choose not to respond.

Stage One: Complaint heard by the staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they will know what to do when they receive a complaint.

In most cases the first person to speak to will be the class teacher. Our teachers work very hard to ensure that each child is happy at school, and are making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress. The matter may be able to be resolved through this discussion or may require the teacher to investigate or discuss with others. If this is the case, you will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. However if you are not satisfied with the outcome of stage 1, please write to the academy within 10 working days and state why you do not think that the concern has been dealt with to your satisfaction. The Academy will then look at your complaint at the next stage.

Stage Two: Complaint heard by the headteacher

Formal complaints shall be put in writing and addressed to the Head teacher. The complaint will be logged including the date received and the academy will acknowledge receipt of the complaint within 3 working days. This response will also report on the action the academy has already taken to resolve the issue. A meeting will be convened to discuss the matter further; this meeting will take place within 10 school working days. Following the investigation the headteacher will give a written response within 14 working days. If you are dissatisfied with the outcome at stage 2, please write to the Chair of Governors within 10 working days to request that your complaint is considered further, giving your reasons why.

Stage 3: Complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the headteacher or the complaint is about the headteacher, the complainant can write to the Chair of Governors to request that their complaint is considered further. Following investigation, the Chair will give a written response within 14 working days. If you are dissatisfied with the result the complaint will be referred to the Complaints Appeal Panel.

Stage Four: Complaint heard by Governing Bodies Complaints Appeal Panel

If the complaint has not been resolved at Stage 2, you can write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair, or a nominated governor, will convene a GB complaints panel.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The panel will comprise of three governors who have not been directly involved in matters detailed in the complaint. At least one member of the panel will be independent of the management and running of the academy. The governing body will identify a suitable independent individual.

The hearing will normally take place within 10 working days of receipt of the written request for a stage 4 investigation.

Parents will be invited to attend the hearing and, if they wish, may be accompanied. The aim of the hearing is to impartially resolve the complaint and to achieve reconciliation between the Academy and the complainant.

All parties will be notified of the Panel's decision, in writing, with the panel's response (including the reasons for the decision, within five school working days after the date of the hearing.

The letter will explain if there are any other rights of appeal and, if so, to whom they need to be addressed.

The Governors appeal hearing is the last school-based stage of the complaints process.

Complaints about the conduct of the headteacher.

In cases where the matter concerns the conduct of the headteacher, the headteacher and the Chair of Governors must both be informed in writing of your complaint. The Chair will arrange for the matter to be investigated as at Stage 3 of the formal procedure. The Chair will give a written response within 14 working days. If you are dissatisfied with the result the complaint will be referred to the Complaints Appeal Panel as at Stage 4 above.

Following the outcome of Stage 4, complaints regarding Academies may be considered by the Education Funding Agency.

The EFA will check whether the complaint has been dealt with properly by the academy. They will consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
2. Where the academy is in breach of its funding agreement with the Secretary of State.
3. Where an academy has failed to comply with any other legal obligation.

The EFA will not overturn an academies decision about a complaint. However, if they find an academy did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the regulations.

If the academies complaints procedure does not meet the regulations, they will ask the academy to put it right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.