



COMPLAINTS PROCEDURE

Author of Policy
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Date adopted by Governors/Academy

Signed on behalf of Governing Body

Date to be reviewed

All Saints Church of England Academy Plymouth is an inspirational community of learning that puts faith in education. It provides a broad and balanced curriculum that strengthens the body, challenges the mind and nourishes the spirit, encouraging everyone to go beyond their best.

All Saints Academy Plymouth mission is based on four golden threads:

- FAITH – putting Christian faith at the heart of every action and providing a safe environment and caring ethos for all
- FOUNDATIONS – creating strong foundations in learning, behaviour and success for all
- FAMILY – understanding the importance of family, the value of community and ensuring support for all
- FUTURES – preparing for bright futures shaped from excellent progress, achievement and choice for all

This policy and the associated procedures are based on these principles, aims and beliefs.

Introduction

This procedure deals with complaints made by staff, students, parents or other stakeholders. There are separate procedures to deal with staff grievances including allegations of harassment and with parental complaints about admissions and exclusions.

At each stage, possible outcomes include:

- complaint withdrawn
- complaint dismissed
- complaint dealt with under another procedure
- complaint upheld

Informal queries and complaints should be taken up directly with the relevant member of staff either verbally or in writing. Formal complaints should be addressed to the Headteacher in writing.

All complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled.

All complaints will be investigated fully, fairly and carefully and complainants will be informed of progress during, as well as at the end of each stage.

Purpose

At each stage, the purpose will be to secure the resolution of the complaint to the satisfaction of the complainant. Where this is not possible, a decision will be made promptly, either to provide an outcome to the complaint or to refer the complaint to the next stage.

Procedure

Representation

At each stage [including appeals], the complainant [staff, student, parents or other stakeholders] may be accompanied by a friend, colleague or other representative. In this case, the complainant should make their own arrangements for such representation. The representative may ask questions, confer with the complainant and make summary statements but may not answer questions on behalf of the complainant.

Recording

The Headteacher will acknowledge receipt of a written complaint within three working days.

At each stage, the complaint will be recorded, together with the outcome and reasons for the outcome. The complainant will be informed of the outcome in writing, together with their entitlement to appeal the outcome by reference to the next stage.

Where the complaint is upheld, any action to be taken in response will also be recorded.

Stage 1: Informal Procedure

The Headteacher will normally direct the complainant to the most appropriate member of staff to deal with it effectively. If the complainant indicates that they would have difficulty discussing the complaint with this member of staff, the Headteacher may direct them to another member of staff. Similarly, if the most appropriate member of staff feels they would have difficulty in dealing with the complaint objectively, the Headteacher may direct the complainant to another member of staff.

The member of staff to whom the complainant is referred will carry out an investigation and decide on the outcome. The complainant and the Headteacher will be informed of the decision and any further action that will be taken in consequence.

In certain circumstances, the Headteacher may choose to deal with the complaint informally in person.

If the complaint has been made in writing, the Headteacher may choose to invoke Stage 2 of the procedure, thereby omitting Stage 1.

If the complainant remains dissatisfied with the outcome of this informal stage, they should inform the Headteacher in writing, including details of their complaint. The Headteacher will then invoke Stage 2 of the procedure.

Stage 1 should be completed within 28 working days of receiving the complaint.

Stage 2: Decision by the Headteacher

Where a complaint is received by the Chair of the Governing Body, he or she will refer the complaint to the Headteacher to deal with unless the complaint concerns the Headteacher and has reached Stage 2, in which case the Chair will take the place of the Headteacher throughout Stage 2. Where a complaint is made to the Headteacher but concerns the Headteacher and has reached Stage 2, the Headteacher will inform the complainant in writing that they should direct their complaint to the Chair of the Governing Body.

The Headteacher will ensure the complaint is investigated fully. The Headteacher may delegate responsibility for conducting the investigation to another member of staff.

The Headteacher will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to their satisfaction.

The Headteacher will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal the decision if they remain dissatisfied.

Stage 2 should be completed within 28 working days of receipt of written complaint.

Stage 3: Appeal

If the complainant remains dissatisfied, they should write to the Chair of the Governing Body giving details of the complaint.

The Chair may be able to resolve the complaint informally at this stage, with the result that the complainant withdraws their appeal.

If this is not possible, the Chair will convene an appeal hearing by the Governors' Appeals Committee, which will not include the Chair.

Appeal Hearing

The appeal will be heard by a Governors' Appeal Committee comprising at least three governors, one of whom will act as Chair of the hearing. No governor may hear the appeal if he or she has had a prior involvement in the complaint or in the incident to which the complaint refers. There will also be an additional member to the panel who is independent of the management and running of the Academy.

The Chair of the hearing will decide the procedure to be followed, ensuring that:

- the remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption
- members of the Committee are objective and open minded, and act independently
- the complainant and any others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal though clearly structured manner with each party treating the other with respect and courtesy
- each side is given the opportunity to state their case and to ask questions
- any written material is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it
- any witnesses are only required to attend for the part of the hearing in which they give their evidence
- the issues are addressed
- key findings of fact are made

The hearing should generally proceed as follows:

- Introductions and introductory comments from the Chair
- The complainant explains the complaint, followed by questions
- Any witnesses to support the complaint give evidence and are questioned
- The Headteacher explains the outcomes at Stage 1 if applicable and Stage 2, followed by questions
- Any witnesses to support the Headteacher give evidence and are questioned
- The complainant sums up
- The Headteacher sums up
- With the exception of the Committee members and any independent adviser they may have, all persons withdraw while the Committee reviews the evidence and decides the outcome

- The complainant and the Headteacher are informed of the decision

The Appeals Committee may:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on any further action to be taken
- if appropriate, recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur

The complainant, and where relevant, the person complained about, will be informed by electronic mail or otherwise, within five days of the outcome of the hearing and the reasons for it, and that the decision is final.

A copy will be maintained on the Academy premises and available for inspection by the proprietor/Chair of the Governing Body and the Headteacher.

Record keeping

It is important that accurate and contemporaneous written records are kept throughout the process, including any initial informal process, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing.

Records should be held in a secure and confidential manner.

Copies of this complaints procedure are made available on the VLE and from the Academy reception.

Resources

A member of the Appeals Panel appointed who is independent of the management and running of the Academy.