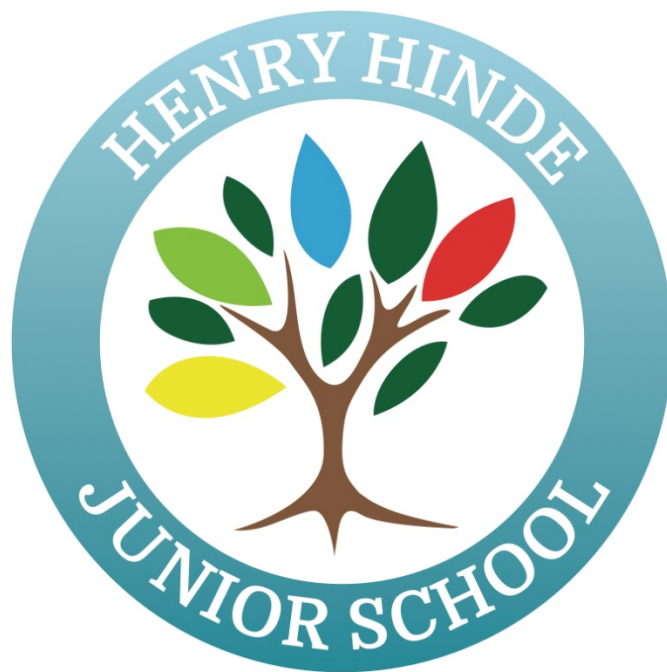


Henry Hinde Junior School



Complaints Policy

September 2020

1.0 - Introduction

1.1 - We strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents and carers. However, it is important that the academy has procedures in place through which parents and carers can exercise their right to complain if they have concerns about aspects of the academy's policy or practice which have not been resolved through the normal channels of communication. This policy sets out the procedures that the academy follows in such cases.

1.2 - If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the academy, we encourage them to talk to the child's class teacher immediately. We always seek to resolve any concerns as quickly as possible and in the best interests of the child. In the vast majority of such cases, issues can be resolved to the satisfaction of parents and carers without recourse to formal procedures.

1.3 - All parents and carers have the right, as a last resort, to appeal to the Regional Schools Commissioner or Secretary of State for Education, if they still feel that their complaint has not been properly addressed. Parents may also contact Ofsted.

1.4 - This policy is available publically via the academy's website and to parents and carers through the school office.

1.5 - Approval and Review

1.6 - This policy will be reviewed not less frequently than every three years however may be reviewed before this time should regulations change or advice as to its improvement be received.

1.7 - Next review date: July 2020

2.0 - Aims and Objectives

2.1 - Our academy aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the children above all else. We provide sufficient opportunity for any complaint to be fully discussed and then resolved.

2.2 - The aims of this policy are to:

- Assure all parents that we will consider all complaints seriously;
- Set out how we will manage the complaints process;
- Make clear the roles and responsibilities of staff in responding to any complaints; and
- Provide information to parents and carers if they wish to make a complaint.

2.3 - Any investigations undertaken under this policy will be conducted sensitively and confidentially, in line with the Trust's values, and will aim to establish:

- What has happened;

- Who has been involved; and
- What the complainant feels would put things right.

3.0 - The Complaints Process

3.1 - Stage 1

3.1.1 - If a parent/carer is concerned about anything to do with the education that we are providing at our academy they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at the academy and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

3.1.2 - Where parents/carers feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher will consider any such complaint very seriously, and will investigate each case thoroughly. Most complaints are resolved by this stage.

3.1.3 - Members of the Local Governing Body who are approached informally by a parent/carer with a complaint about the academy will always refer the parent back to the Headteacher or an appropriate member of the academy staff. Only when such steps at Stage 1 have been followed and the parent/carer remains dissatisfied should the complaint be taken forward to the Local Governing Body. Should any parent/carer have a complaint about the Headteacher, which cannot be resolved through discussion with him/her, then it may be appropriate to contact the Local Governing Body directly.

3.2 - Stage 2

3.2.1 - Where an informal complaint at Stage 1 fails to resolve the matter, the parent/carer should make a written complaint to the Headteacher.

3.2.2 - If the complaint concerns the Headteacher, the complaint should be made in writing to the Chair of the Local Governing Body who will, in the first instance, seek to resolve the complaint informally and failing this, escalate the matter to Stage 3.

3.2.3 - If the complaint concerns the Chair of the Local Governing Body or another governor, the complaint should be made in writing to the Business, Operations and Estates Manager, who will, in the first instance, seek to resolve the complaint informally and failing this, escalate the matter to Stage 4.

3.2.4 - Upon making a formal complain to the Headteacher, the parent/carer should make an appointment with the Headteacher as early as reasonably practicable, to discuss their concerns.

3.2.5 - Where the complaint concerns a member of staff, the Headteacher will discuss the issue with the member of staff concerned, and may conduct interviews with any other relevant parties, taking statements as appropriate. This may include witnesses and children.

3.2.6 - All conversations will be recorded and once the facts are established the findings, an explanation of the decision and any proposed action will be communicated to the complainant verbally and/or in writing as appropriate.

3.2.7 - This stage will be completed within 15 school days, unless the situation is recognised as complex and is deemed to be irresolvable within this timescale, in which case the Headteacher will write to the complainant to inform them of the revised target date.

3.2.8 - If the complainant is not satisfied with the outcome, the procedure will progress to Stage 3.

3.3 - Stage 3

3.3.1 - Only if a formal complaint at Stage 2 fails to resolve the matter should a formal complaint be made to the Local Governing Body (Stage 3). This must be made in writing, stating the nature of the complaint, and how the academy has handled it so far. The parent/carer should send this written complaint to the Chair of the Local Governing Body.

3.3.2 - The Chair of the Local Governing Body or another nominated governor will investigate the issue to ensure that Stage 1 and/or 2 of the process has been followed and that the academy has responded properly to the complaint.

3.3.3 - The Local Governing Body will consider all Stage 3 written complaints within three weeks of receipt.

3.3.4 - The Chair or other nominated governor will convene a panel to hear and consider the complaint. The panel will consist of at least three people who were not directly involved in the matter detailed in the complaint, at least one of whom is not a governor and is independent of the management and running of the academy.

3.3.5 - The panel will invite the complainant to a hearing, where s/he can explain the complaint in more detail. The academy must give the complainant at least five days' notice of the meeting and the opportunity to submit further information in writing if they so wish.

3.3.6 - The complainant may take a friend, representative or interpreter with them to the meeting if they so wish.

3.3.7 - After hearing the complaint and all the evidence, the panel may ask questions to clarify any issues. They will also hear from the Headteacher, who will present the academy's position, and will question him/her about this.

3.3.8 - The panel will then consider their decision and inform the complainant about their findings and recommendations in writing. Where relevant, a written copy of the panel's findings and recommendations will be provided to the subject of the complaint and to the Headteacher, within ten working days of the hearing.

3.3.9 - The governors will do all they can at this stage to resolve the complaint to the complainant's satisfaction.

3.4 - Stage 4

3.4.1 - If the complaint is not resolved to the complainant's satisfaction at Stage 3 the complainant may appeal to TLET. The Trust will appoint an appropriate person, normally either the Director of Operations, the CEO or a member of the Board, to act as the Investigating Officer.

3.4.2 - The appeal should be made in writing and outline the nature of the complaint and the manner in which the complaint has been dealt with thus far. The Trust will acknowledge receipt of the complaint within 10 working days.

3.4.3 - The Trust will investigate the nature of the complaint and the procedure to ensure that stages 1, 2 and/or 3 were carried out in line with this policy.

3.4.4 - The Investigating Officer will convene a meeting with the complainant. Any material which the complainant feels should be brought to the attention of the Investigating Officer should be raised at this meeting and, where possible, submitted in good time beforehand. The complainant may be accompanied to this meeting as outlined in paragraph 3.3.6, above.

3.4.5 - The Investigating Officer will convene a meeting with the Headteacher so as to ascertain the academy's position.

3.4.6 - The Investigating Officer will endeavour to respond to the complaint within fifteen working days. If this is not possible the Investigating Officer will write to the complainant, informing him/her of the delay, and providing a new date by which s/he hopes the investigation will be concluded.

3.4.7 - The Investigating Officer will inform the complainant of his/her decision in writing.

3.4.8 - There are no further stages of redress within TLET. If a complainant remains unsatisfied with the way that the complaint was handled, they may refer their complaint to the Education Funding Agency.

3.5 - Amendments to this Procedure

3.5.1 - There may be instances where following this procedure is not appropriate. In such circumstances the stages of this procedure may be omitted or amended.

3.5.2 - If the complaint relates to the Headteacher, Stage 2 will be omitted.

3.5.3 - In the case of a formal complaint to the Local Governing Body, Stages 1 and 2 may be omitted.

3.5.4 - Should the Stage 4 Investigating Officer feel it appropriate, the complaint can be referred to the whole Board, who will then undertake the duties of the Stage 4 Investigating Officer or delegate them to some other person.

3.5.5 - TLET retains the right to bring in an external party to assist in their investigations (HR firm, auditor, or educational specialist, for example). Whilst the complainant may request that the Trust seek the assistance of an external party, there is no onus upon the Trust to grant this request.

3.5.6 - TLET may decline to hear the appeal at Stage 4 if they believe that the complaint is vexatious, has been resolved, or is lacking in merit.

4.0 - Procedural Considerations

4.1 - Record Keeping

4.1.1 - The academy will keep a written record of all formal complaints made, including the stage(s) at which the complaint was address and what action was taken by the academy as a result of those complaints (whether or not they were upheld).

4.2 - Confidentiality

4.2.1 - Correspondence, statements and records relating to individual complaints must be kept confidential, except where the Secretary of State (or someone acting on his/her behalf) requests access to them.

4.3 - Staff Training

4.3.1 - All staff should ensure that they are familiar with this policy, so that they are aware of how to respond if they are in receipt of a complaint.

4.3.2 - Staff who are likely to become involved in handling complaints will receive suitable training and may seek additional support from the Senior Leadership Team and/or the Trust as required.

4.4 - Complainants' Behaviour

4.4.1 - It is expected that the complainant will at all stages during this complaint:

- Co-operate with the academy in seeking a solution to the complaint;
- Express the complaint and their concerns in full at the earliest possible opportunity;
- Promptly respond to any requests for information or meetings;
- Ask for assistance as needed;
- Treat any person(s) involved in the complaint with respect;
- Refrain from making persistent or malicious complaints.

4.4.2 - If a complainant's behaviour is deemed to be unacceptable, they will be given a clear warning, but if there are serious concerns about a complainant's behaviour the complainant may be barred from the premises in accordance with the academy's usual procedure.

4.5 - Vexatious, Serial or Persistent Complaints

4.5.1 - The school will act in a manner they believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the school to reconsider their position.

4.5.2 - If a complainant attempts to re-open an issue over which the academy has previously fully completed the complaints procedure, the Chair of the Local Governing Body will inform the complainant that the matter is now closed.

4.5.3 - If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond.

4.5.4 - The school must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure.

5.0 - Uses of this Policy

5.1 - Who May Use This Policy?

5.1.1 - This policy may be used by anyone who has a concern or complaint about any aspect of the academy. In the main this will mean the parents and carers of the academy's pupils, but may include neighbours of the academy or any other members of the local community.

5.1.2 - Complaints made by anyone other than a parent/carer will be handled under this procedure, but the academy or Trust may at any stage decline to hear the complaint if they believe that the complaint is vexatious, has been resolved, or is lacking in merit.

5.2 - Circumstances Under Which this Policy Should Not be Used

5.2.1 - This procedure should not be used for complaints about the following:

- The national curriculum;
- Collective worship;
- Religious education;
- Non-approved external qualifications or syllabuses;
- Temporary withdrawal of pupils from all or part of the national curriculum;
- Pupil admissions; or
- Pupil exclusions.

5.2.2 - Issues related to child protection, criminal investigations and employee grievances must also all be handled separately from this policy.

5.2.3 - This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant will be informed. Any non-disciplinary aspects of the complaint will continue to be dealt with through the usual complaints procedures

5.2.4 - If another policy is more appropriate than this complaints policy for any given situation, then it should be used in preference to it.