



COMPLAINTS POLICY

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Adopted by Governors: 2015

Updated: May 2021

Review period: May 2022

Moorside CP Academy

Academy Complaints Procedure

If you have a complaint, it is the responsibility of the Academy to investigate.

Communication, written or spoken, is valued as part of the partnership between home and Academy. Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere within the Academy. This section explains the procedure that you should follow if you have a concern or a complaint.

Dealing with concerns informally

If you have a **concern** you should make contact with the appropriate member of staff. This may be the class teacher, Learning Mentor or Headteacher.

They can then look into your concern and give you a response, making clear any action or monitoring of a situation that may be necessary. At this stage, misunderstandings can usually be cleared up. An apology can be given if something is found to be wrong. Everyone benefits from the speedy resolution of difficulties and from suggestions for improvement.

If no satisfactory solution to the concern has been agreed you should be informed of your option to take the matter further.

What do I do next?

If by this point, you remain dissatisfied with the Academy's response; **your concern becomes a complaint**. Your complaint will be investigated by an Assistant Headteacher. The Assistant Headteacher will make a written record of all concerns and complaints and the date on which they were received. The Assistant Headteacher will endeavor to resolve the matter within 10 working days.

If I wish to take this further what is the process?

If you then want to take the matter further, you should put your complaint, in writing, to the Principal. If your complaint is about the Principal, you should put your complaint, in writing, to the Chair of Governors.

All complaints will be acknowledged within two (2) working days of receipt and the Academy will request that the complainant completes an Academy complaints form (see Appendix I). The Principal will decide, after considering the complaint, the appropriate course of action. In most cases, the Principal will meet or speak with the complainant to discuss the matter. If possible, a resolution will be reached at this stage. The Principal will use reasonable endeavours to speak

to or meet with the complainant within 10 working days (except in the case of Academy holidays).

It may be necessary for a member of senior staff to carry out further investigations. Depending on the reason for the complaint, statements from witnesses may be required. The Principal will keep a written record of all meetings and interviews held in relation to the complaint. Once the Principal is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made. The complainant will be informed of this decision in writing, giving reasons for the decision. The decision will be provided within 10 working days after speaking/meeting with you to discuss the matter. The Academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the Academy's decision will be kept, in the case of parents, for one year after the pupil leaves the Academy, in the case of any other individual (service users) for 5 years.

If I am unhappy with the response, what do I do?

Where you are dissatisfied with the outcome of the Academy's response to your formal complaint, you have the opportunity to have your complaint considered by a Complaints Panel. You may request that your complaint be further considered by the Panel set up for this purpose. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an "appeal".

You must lodge your appeal in writing and within ten (10) working days of the date of the Academy's decision. You should provide a list of the complaint(s) made against the Academy and which you believe to have been resolved unsatisfactorily, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint(s) lodged in this "initial submission" although they may use their discretion to consider other relevant and related matters that may subsequently arise.

Where an appeal is received by the Academy, the Academy will, within five (5) working days, refer the matter to the Clerk to the Trustees who will act as Clerk to the Complaints Panel. Where the appeal is received by the Academy during Academy holidays, or within two (2) working days of their commencement, the Academy has five (5) working days upon commencement of the school term to refer the matter to the Clerk.

The Clerk provides an independent source of advice on procedure for all parties.

Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform you of the steps involved in this Complaints Procedure.

The Clerk, in close consultation with any Nominated Governor, will then endeavour to convene a Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty (20) school days after receipt by the Academy of your "written notice that you wish to appeal, dependent upon the availability of the Panel members.

The Complaints Panel will consist of two Trustees on the Board who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education (DfE).

The following are entitled to attend a hearing, submit written representations and address the Panel:

- (a) The complainant and/or one representative;
- (b) The Principal of the Academy and/or one representative; and

(c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Legal representation will not normally be appropriate.

Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- (a) documents in support of complaint(s),
- (b) chronology and key dates relating to complaint(s), and
- (c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the panel, along with the initial submission that was lodged by yourself.

Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the panel hearing.

It is for the panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out.

After due consideration of all the facts they consider relevant, the panel will reach a decision, and may make recommendations, which it shall complete within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final.

Any decision reached that may have financial implications for the Academy will need the appropriate approval from the relevant authorities e.g. the Board of Governors, although any such approval must be compatible with the decision of the Complaints Panel.

The Panel's findings will be sent by the Clerk in writing to the complainant, the Principal, the Governors and, where relevant, the person complained of.

The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

The Academy will keep a record of all appeals, decisions and recommendations of the Complaints Panel, the record will be kept, in the case of parents, for one (1) year after the pupil leaves the Academy, in the case of any other individual for 5 years.

Remember . . .

This whole process exists so that your views, and the views of others, can be heard. You have rights. Pupils have rights, as do their parents. Staff and governors have rights. The aim is that the complaint should be properly and fairly dealt with. Communications with academies are frequent and are welcome. The later stages of the complaints procedure are used rarely but remain part of the process. Services are improved by a positive response to compliments, concerns and complaints.

Procedure Review

This policy follows the Independent School Standard Regulations, Section 7 guidance and will be kept under review in order to keep in line with relevant legislation and modifications authorised by the Governing Body.

Appendix I

Moorside CP Academy - Complaint Form

Please complete and return to Mr R Davis (Complaints Co-Ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name:	
Your relationship to the Pupil:	
Address:	
Postcode:	
Day time telephone number:	

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details

Signature:.....

Date: