

St Anne's Academy

Complaints Policy and Procedure

Reviewed and approved by	Endorsed by (if appropriate)	Date of next review
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1. Introduction

1.1 The Academy Mission Statement

Faith

We keep Christian values at the centre of everything we do.

Ambition

We strive to achieve our best.

Multicultural

We strive to be accepting and supportive of all students and staff and value each and every individual.

Independence

To take responsibility for our own learning.

Lifelong Learners

Developing knowledge and skillset in preparation for life as a global citizen.

Your Future

Nurturing self-esteem to equip individuals with the skills and values for a successful future.

Created by Academy Student Leadership Representatives November 2015

2. Policy Principles

2.1 Dealing with Complaints – Resolving initial concerns

2.1.1 This policy is for the parents, students and residents in the vicinity of St Anne's Academy who may wish to raise concerns or complaints. Staff raising a complaint should refer to the Staff Grievance Policy and procedures.

The Academy takes informal concerns seriously. It will always endeavour to resolve any complaint promptly, honestly and diplomatically to the satisfaction of all parties without the need to resort to the formal procedure.

2.2 Dealing with Complaints – the formal procedure

2.2.1 Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. In the initial stages of the formal procedure at least two members of the Academy staff will be involved.

- The Principal will designate a member of the Strategic Leadership Team as the Complaints Investigator to investigate the issue and to seek to resolve the complaint.
- All formal complaints will be directed to the Complaints Administrator [Director of Personnel & Finance] who will ensure that a record of the complaint and action taken is recorded and retained.

2.3 Principles

2.3.1 The Academy Complaints Procedure will:

- strongly encourage the resolution of concerns or complaints by informal means wherever possible;
- be straightforward and transparent;
- be impartial;
- be non-adversarial;
- ensure swift handling with established time-limits for action and keeping people informed of progress;
- ensure a full and fair investigation by an independent person or panel where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide feedback to St Anne's Strategic Leadership Team so that the procedure can be reviewed and improved where necessary.

2.4 Investigating Complaints

2.4.1 At each stage of the procedure, the person investigating the complaint will ensure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (for clarification or if further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to establish the facts in a neutral way;
- keep notes of what was said and agreed in the interview.

2.5 Resolving Complaints

2.5.1 At each stage in the procedure St Anne's will consider ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an explanation;
- an admission that the situation could possibly have been handled differently;
- an assurance that the Academy will endeavour to ensure that the event complained of will not recur;
- an explanation of the steps that have been taken to limit the probability of it happening again;
- where appropriate, an undertaking to review St Anne's Complaints Policy and procedure, or other relevant policies, in light of the complaint.

2.5.2 It must be recognised that an admission that the Academy could have handled the situation differently is not the same as an admission of negligence.

2.5.3 It will be important to identify and record areas of agreement between the parties. It is of equal importance to clarify any misunderstandings that might have occurred so as to create a positive atmosphere in which to discuss all concerns.

2.7 Time Frames

- 2.7.1 Complaints need to be considered and resolved, as quickly and efficiently as possible. All complaints will be dealt with within a realistic time frame for each stage. However, where further investigations are necessary, a time frame may be adjusted with the complainant sent details of any new deadline together with an explanation for the delay. The majority of complaints dealt with under stages 1-3 will be dealt with within 21 days of the date that the complaint was made to the Academy.

Where it has not been possible to fully investigate more complex issues within that time frame, a further 21 day period may be allocated by the Complaints Administrator who will be responsible for notifying the complainant of their decision and the reason for it.

Complaints dealt with by the Governing Board Complaints Appeal Panel will be held within 14 days of the Panel being notified by the Principal of the need to meet.

3. The Stages of the Complaints Procedure

- 3.1 The Academy Complaints Procedure has four well-defined stages. A Flow Chart setting out the stages can be found in Annex A. This diagram sets out the process for each stage: who will be involved; what will happen; and how long the stage should take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further enquires may be requested by the Principal after a meeting with the complainant.
- 3.1.1 Stage 1: complaint heard by Staff Member
Stage 2: complaint heard by Complaints Investigator
Stage 3: complaint heard by Principal
Stage 4: complaint heard by Governing Board Complaints Appeal Panel
- 3.1.2 A dissatisfied complainant has the right to take their complaint to the next Stage of the procedure. There will be occasions when, despite all four stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, once it has been addressed by the Governing Board Complaints Appeal Panel, the Chair of the Governing Board will inform them, in writing, that the procedure has been exhausted and that the matter is now closed.
- 3.1.3 If the complaint concerns the conduct of the Principal or a Governor, or where the Principal or a Governor has been involved in the issue previously, the Complaints Administrator will refer the complainant to the Chair of Governors. (See para. 6.3.3 below)
- 3.1.4 An example of a Complaints Procedure can be found in Annex B.

4. Managing and Recording Complaints

4.1 Responding to, and the Recording of, Concerns or Complaints

- Members of staff receiving concerns or complaints need to record details, progress and outcomes of the complaint.
- A concern or complaint may be made in person, by telephone, or in writing.
- If the concern cannot be resolved, Stage 1 of the Formal Complaints procedure must be followed and the complainant directed to the Complaints Administrator [Director of Personnel & Finance].
- A brief note of meetings, telephone calls and actions taken needs to be recorded and a copy of any written response added to the record. Written responses need to be approved by the Principal or Complaints Administrator.
- The Complaints Administrator is responsible for formal complaint records and holds them centrally.
- An example of a Complaint Form can be found in Annex C.

4.2 Keeping Governors Informed

The Academy will inform the Chair of Governors of all complaints once they have entered Stage 3. At this point they should also be raised at the first opportunity with the Standards Committee. This committee will be responsible for making recommendations to the Governing Board for any review of the complaints policy and procedure.

NB: Complaints information shared with Governors will not name individuals or reveal details as this could prejudice individual Governors if called to serve on the Governing Board Complaints Appeal Panel.

4.3 Publicising the Procedure

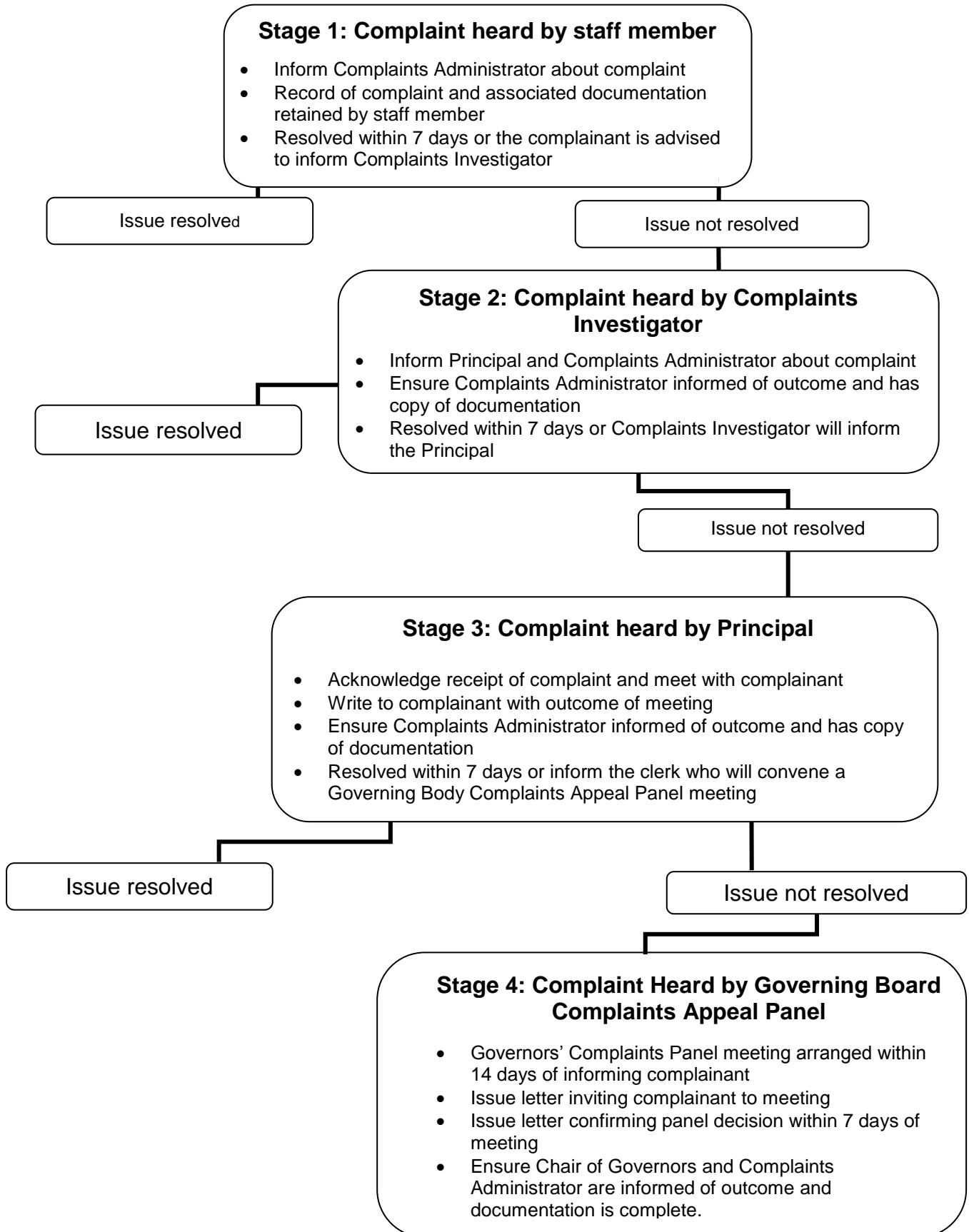
There is a legal requirement for the Complaints Procedure to be publicised. The Complaints Procedure is:

- available on St Anne's website;
- included in the information pack for all newly-appointed staff.



5 Annex A: Summary of Dealing with Complaints

All informal concerns and complaints, will be dealt with promptly by staff



Annex B: An Example of a Complaints Procedure

6.1 Stage 1: Complaint heard by member of staff

- 6.1.1 It is in everyone's interest that complaints are resolved at the earliest possible stage. All staff should ensure that they have a copy of the Complaints Policy and Procedure and that they fully understand the process.
- 6.1.2 Staff will consider the complaint objectively and impartially.
- 6.1.3 In a situation where a complainant has difficulty discussing a complaint with a particular member of staff, the Complaints Administrator (Director of Personnel & Finance) will refer the complainant to another staff member.
- 6.1.4 Similarly, if the member of staff directly involved has a conflict of interest then they need to inform the Complaints Administrator who will refer the complainant to another staff member who may or may not be senior
- 6.1.5 Where the first approach is made to a Governor, the Governor should refer the complaint to the Complaints Administrator who will delegate the complaint as appropriate.
- 6.1.6 Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.
- 6.1.7 Stage 1 will normally be completed within 7 days. If the person raising the complaint believes that the matter can be resolved at this stage but more time is required the Complaints Administrator may extend this period.

6.2 Stage 2: Complaint Heard by Complaints Investigator

- 6.2.1 If the complaint is unresolved in the initial stage, the Principal will appoint a member of the Strategic Leadership Team as the Complaints Investigator, to deal with the next stage of the complaint.
- 6.2.2 The Complaints Investigator will complete Stage 2 of the procedure within 7 days and either resolve the complaint or advise the complainant it will be progressed to Stage 3. Where appropriate, the Complaints Administrator may extend the 7 day period in order to resolve the complaint.

6.3 Stage 3: Complaint Heard by Principal

- 6.3.1 If the complaint has not been resolved in the first two stages the complaint will be reviewed by the Principal. The Principal may delegate the task of collating the information to another staff member but will make the decision on the action to be taken.
- 6.3.2 The Principal will complete Stage 3 of the procedure within 7 days and either resolve the complaint or advise the complainant that it will be progressed to Stage 4.
- 6.3.3 Where the complaint concerns the Principal or a Governor, the Complaints Administrator will refer the complainant to the Chair of Governors.

6.4 Stage 4: Complaint Heard by Governing Board Complaints Appeal Panel

- 6.4.1 The complaint will be referred to the Chair of Governors giving details of the complaint. The Principal's PA will convene a Governing Board Complaints Appeal Panel within 14 days of being notified of the Chair of Governors receiving the complainant's written complaint.
- 6.4.2 The Governing Board Complaints Appeal Panel is the final stage of the complaints process and its decision is final. The terms of reference of the Panel are set down and approved by the Governing Body each year. These will be shared with the complainant.
- 6.4.3 The Governing Board Complaints Appeal Panel will comprise of at least three impartial members of the Governing Board who have had no previous connection with the issue. One member of the Governing Board must be independent from the Academy.
- 6.4.4 The complainant has the right to attend the meeting of the Governing Board Complaints Appeal Panel and to be accompanied if they so wish.

6.5 The Governing Board Complaints Appeal Panel has the delegated authority to:

- 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 St Anne's policies or procedures to ensure that complaints of a similar nature do not recur.

6.5.1 There are several points which any Governor sitting on a Complaints Panel needs to remember:

- a. It is important that the appeal meeting 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 a cross-section of the categories of Governor and sensitive to the issues of disability, race, gender, gender reassignment, pregnancy and maternity, sexual orientation and religious affiliation in accordance with the Academy's Single Equality and Community Cohesion Policy.
- b. The aim of the meeting, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between St Anne's Academy and the complainant. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial. A parent or other complainant has the right to be accompanied if they so wish.
- d. 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 meeting, if any, the child needs to attend.
- e. The Governors sitting on the Panel need to understand fully the Complaints Policy and Procedure.

6.6 Roles and Responsibilities

6.6.1 The Role of the Chair of Governors

- to check the correct procedure has been followed;
- to liaise with the clerk to convene a Panel.

6.6.2 The Role of the Clerk

Any Panel or group of Governors considering complaints will be minuted.

The Clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the meeting;
- meet and welcome the parties as they arrive;
- record the proceedings;
- notify all parties of the Panel's decision within 7 days of the meeting.

6.6.3 The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings are made clear;
- parents and others who may not be used to speaking at such a meeting are put at ease;
- that the complainant understands their right to be accompanied at this meeting;
- the meeting is conducted in a manner in which each party treats the other with respect and courtesy;
- the Panel is impartial and acts independently;
- no member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties
- new issues or information are shared with all parties.

6.7 Notification of the Panel's Decision

The Chair of the Panel will ensure, via the Clerk, that the complainant is notified of the Panel's decision, in writing, with the Panel's response within 7 days of the meeting. The letter will explain if there are further rights of appeal and, if so, to whom they need to be addressed.

6.8 Checklist for a Panel Meeting

The Panel needs to take the following points into account.

- The meeting should be conducted in a manner in which each party treats the other with respect and courtesy.
- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and may be followed by their witnesses.
- The Principal may question both the complainant and the witnesses after each has spoken.
- The Principal is then invited to explain the Academy's actions and can be followed by the Academy's witnesses.
- The complainant may question both the Principal and the Academy's witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Principal is then invited to sum up the Academy's actions and response to the complaint.
- The Chair explains that both parties will be notified of the Panel's decision within 7 days.
- Both parties exit the meeting room while the Panel decides on the issues.

St Anne's Academy Complaints Form

Please complete and return to: Complaints Administrator (Director of Personnel & Finance) who will acknowledge receipt and explain what action will be taken.

Section 1: To be completed by Complainant

Complainant Name:

Student Name:

Your relationship to the student:

Address:

Email:

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)?**

Did any other person see or hear the incident that has caused you to raise this complaint. If so please give their details below and a summary of what they saw or heard.

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

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

Signature:

Date: