



Leverton C of E Academy

Complaints Procedure

Autumn term 2014

At Leverton C of E Academy we aim to make our school a happy, safe and caring place so that pupils may benefit from the best possible education. All our staff, both teaching and non-teaching are dedicated to this aim.

If you think we are not meeting your expectations we want to know about it so that we may have the opportunity to investigate the problem and put things right. We would also like to hear about the things that we do well.

This complaints procedure is directly in line with guidance from the Department of Education and meets the requirements of the Education (Independent School Standards) (England) Regulations 2010. The Procedure must be followed in all cases.

Complaints Procedure

Leverton C of E Academy's complaints procedure is a staged approach and whenever possible, is designed to ensure every effort is made to deal with complaints quickly and informally in partnership with the complainant. The school 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 school's formal complaints procedure.

The 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.

Framework of Principles

Leverton C of E Academy's Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person 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 information to the Academy's senior management team so that services can be improved;
- at every stage, written records of the complaint will be kept.

Complaints must be made within 3 months of the event. Complaints after this period will only be considered under exceptional circumstances.

Whilst the Academy will acknowledge third party complaints, where multiple complainants raise a concern about the same incident or issue at the Academy, it is those directly involved in the incident that are deemed the complainant and main point of contact for further investigation. Where an issue is already under investigation, further third party complaints will not be accepted.

Categories of Complaint and reference to wider procedures:

Staff Members

Complaints brought by staff members should be investigated using the Academy Grievance procedure and not this Complaints Policy

Governors

Complaints about Governors, or complaints brought by Governors should be dealt with through the Chair of Governors as an item for consideration at an informal level which if necessary may be escalated through formal procedures as set out in the Academy Trust's Articles of Association and not this Complaints Policy.

Contractors

Complaints brought by contractors should be dealt with through informal routes but may be escalated where dispute resolution or a formal complaints process is included in the contractual agreement and not through this Complaints Policy.

Pupils

Complaints about pupils should be directed to the relevant Academy Staff Member. If a complainant is not happy with the manner in which the complaint was handled then they may raise a separate complaint through this policy and procedure. The complaints procedure cannot consider the complaint about the pupil it can only consider the complaint about how the Academy handled the original complaint.

Visitors and Contractors

Complaints about a contractor or visitor to the Academy should be directed to the Head Teacher. If a complainant is not happy with the manner in which the complaint was handled then they may raise a separate complaint through this policy and procedure. The complaints procedure cannot consider the complaint about the contractor or visitor; it can only consider the complaint about how the Academy handled the original complaint.

An Overview of the staged process

Leverton C of E Academy's Complaints Policy has four main stages. In summary these are as follows:

Stage One - Discuss concerns informally with the relevant member of staff.

Stage Two - Discuss concerns formally with Head teacher or Senior Staff Member

Stage Three - Make a formal complaint in writing to the Chair of Governors to investigate the complaint.

Stage Four- Complaints panel formed to hear the investigated complaint and make recommendations on further outcomes.

Vexatious Complaints

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

The Governing Body has a policy regarding vexatious complaints/ harassment and will act according to this policy (Appendix 1).

Time limits of the Staged Process

Every effort will be made to keep to the stated timescales. However if the complaint requires additional time to investigate thoroughly, you will be notified of the change in timescales.

Stage One: Complaint heard by a 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 all staff are made aware of the procedures, they know what to do when they receive a complaint. All staff should be aware of the need for confidentiality.

In most cases the first person to speak to will be the class teacher. The class teacher may refer the complainant to another staff member if appropriate. Please do not arrive at the school expecting to be seen by a member of staff as they are very likely to be teaching. Please make an appointment to see the class teacher. This will ensure sufficient time is allocated to listen carefully to your concerns. 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 response within three working days. A brief record of any telephone calls, meetings and agreed actions will be kept, although it is not always necessary to provide the complainant with a written record at this stage.

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The majority of concerns will be satisfactorily dealt with in this way. However if you are not satisfied with the outcome at stage 1, please write to the school within 10 school working days and state why you do not think that the concern has been dealt with to your satisfaction. The school will then look at your complaint at the next stage. If you have difficulties writing, the school can arrange for someone to write this letter for you.

Stage two: Discuss the complaint formally with the Head Teacher or a senior member of staff

More serious concerns which remain unresolved at the end of stage 1 should be put in writing and addressed to either the Head Teacher or a senior member of staff. The complaint will be logged including the date received and the school will acknowledge receipt of the complaint within 3 school working days. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will take place within 10 school working days. If you do not speak English you may bring an interpreter with you to this, or any subsequent meetings. The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result at stage 2, please write to the school within 10 school working days of getting our response. You will need to inform the school of the reasons why you do not think that the concern has been dealt with to your satisfaction.

Stage Three: Complaint referred to the Chair of Governors

If the matter has not been resolved at Stage 2, the Head Teacher will arrange further investigation. Following the investigation a written response will be given within 10 school working days. If you are dissatisfied with the result at Stage 3, you should let the Head Teacher know within 10 school working days of receiving the response, again giving your reasons why.

Stage Four: Complaint heard by Governing Body Complaints Panel

If the complaint has not been resolved at Stage 3, you should write to the Chair of Governors at the school address giving details of the complaint. 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 people who have not been directly involved in the matters detailed in the complaint. The hearing will normally take place within 10 working days of the receipt of the written request for stage 4 investigations. The complainant will be invited to attend the hearing and, if they wish, may be accompanied. The aim of the Panel is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. This will be minuted by the Clerk to Governors. All parties will be notified of the Panel's decision in writing within 5 school working days after the date of the hearing.

Complaints Procedure

All written records, statements and correspondence relating to an individual complaint will be treated with complete confidentiality. However, the Academy is required to make these records available to the Secretary of State or a body conducting an inspection under section 162A of the 2002 Education Act, if they request access to them.

The governors' appeal hearing is the last school-based stage of the complaints process and is final.

Complaints about the conduct of the Head Teacher

In cases where the matter concerns the conduct of the Head teacher, the Head Teacher and Chair of Governors must both be informed in writing of your complaint. The Chair will arrange for the matter to be investigated at Stage Three of the formal procedure. The Chair will give a written response within 14 school 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 the stage 4 of this procedure, complaints regarding Academies may be considered by the Education Funding Agency: <https://www.gov.uk/complain-about-school>

Please note: 'School working days' relates to days during term time when the school is in operation, and teaching and office staff are on the premises.

During the school holidays when members of staff and Governors are not available through the Academy office, any concerns or complaints can be emailed to the Governing Body via the online Link on the Academy website. Provision is in place to ensure that all concerns are responded to through holiday periods. Please go to the 'Contact us' page at www.levertonacademy.co.uk and follow the link provided.

Please be aware that anonymous complaints will not be considered and any malicious complaints made by parents, the community or members of staff may incur appropriate legal action by the school.

Appendix 1: Complaint procedure Leverton C of E Academy**Policy for dealing with persistent and vexatious complaints and harassment in schools**

The Headteacher and staff deal with specific complaints as part of their day- to-day management of the school in accordance with the School's Complaints Procedure. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with this policy.

Aims of Policy

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the School and persons who wish to express a concern or pursue a complaint
- support the well-being of students, staff and everyone else who has legitimate interest in the work of the School, including governors and parents
- deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

Parents expectations of the school:

Parents, carers and members of the public who raise either informal or formal issues or complaints with the School can expect the School to:

- Inform them of the complaints procedure
- Inform parents of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment with regards the Academy
- Respond within a reasonable time
- be available for consultation within reasonable time limits bearing in mind the needs of the pupils/students within the school and the nature of the complaint
- respond with courtesy and respect
- attempt to resolve problems using reasonable means in line with the School's complaints procedure and keep complainants informed of progress towards a resolution of the issues raised

The Academy's expectations of Parents, Carers and wider stakeholders, including members of the public

The School will expect parents, carers and members of the public who wish to raise problems with the School to:

- treat all school staff and governors with courtesy and respect
- respect the needs and well-being of pupils and staff in the School
- avoid any use, or threatened use, of violence to people or property
- avoid any aggression or verbal abuse
- recognise the time constraints under which members of staff and Governors in schools work and allow the Academy a reasonable time to respond
- recognise that resolving a specific problem can sometimes take some time (in the case of a complaint) follow the School's Complaints Procedure

If the above are not adhered to, the Academy will refuse to investigate until the above behaviour is evident.

Who is a persistent complainant?

For the purpose of this policy, a persistent complainant is a parent, carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the School and whose behaviour is unreasonable. Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- an insistence upon pursuing complaints in an unreasonable manner
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the Academy because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions listed above in such a way that they:

- appear to be targeted over a significant period of time on one or more members of school staff or governors, and/or
- cause on-going distress to individual member(s) of school staff or governors, and/or
- have a significant adverse effect on the whole/parts of the school community, and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health of those involved.

The schools actions in cases of persistent or vexatious complaints or harassment

In the first instance the School will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable or unacceptable and if it is not modified, action may be taken in accordance with this policy. This will be confirmed formally in writing.

If the behaviour is not modified the School will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- inform the complainant in writing that his/her behaviour is now considered by the Academy to be unreasonable or unacceptable and therefore, falls under the terms of this policy
- inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only
- in the case of physical or verbal aggression the Academy will consider warning the complainant about being banned from the Academy site, and acting upon this if the behaviour continues
- consider taking advice on pursuing a case under Anti-Harassment legislation
- Violent and threatening behaviour or behaviour which harasses any member of staff or Governor will be reported to the police.

Complaints Procedure

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the Academy may resume the process identified above at an appropriate level.