



<b>Complaints Policy</b>	
Policy Ref:	Educ007
Status	Statutory
Purpose	
Committees	Local Governing Board
Other linked policies	Grievance Policy , Harassment Policy , Disciplinary Policy , Whistle Blowing Policy
Issue date	July 2018
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**If you become concerned in any way about your child's education, it is important that you tell us about this. As a first step you should discuss your concerns with your child's teacher. If you are still concerned you should arrange to meet the Principal / Headteacher. As a staff we will do all we can to resolve your concerns and to ensure you are happy with your child's education.**

**If, after discussions at the Academy, parents are still unhappy, they will need to put their complaint in writing to the Chair of the Local Governing Board.**

**The Academy will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Principal / Headteacher who will decide what, if any, action should be taken.**

**The Complaints Form is included in this Policy and copies of the form can be obtained from the Academy office.**

#### **Introduction**

1. At our Academies we encourage all parents and pupils to approach any member of staff in the first instance if they have a concern or complaint.
2. In the event that these initial approaches fail to resolve a complaint this policy lays out the procedures that should be followed to allay any concerns about a particular issue.
3. If you do not understand any part of this policy please do not hesitate to contact the Executive or Associate Principal / Headteacher or the Chair of the Local Governing Board (please contact the academy office in confidence to obtain contact details). Your complaint will then be investigated fully, ensuring all relevant facts are taken into consideration.
4. In order to enable a proper investigation complaints should be brought to the attention of the Academy as soon as possible.



### Scope

5. A complaint is an expression of dissatisfaction that requires a response from the academy. This procedure deals with such complaints if made by a pupil, a parent or other external stakeholder, except that there are separate appeals procedures for a parent dissatisfied with a decision regarding either the admission or the exclusion of their child and for appeals against the grade awarded to their child in an external examination.
6. There are also separate Policies to deal with staff complaints. These include the Grievance Policy for a complaint by an employee of unfair treatment, the Harassment Policy for an employee complaining of bullying or intimidation, the Disciplinary Policy for an employee complaining about the conduct of another member of staff and the Whistle Blowing Policy for an unresolved allegation of institutional malpractice.

### Complaints Procedure

7. Any complaint should follow this step-by-step process:

#### Stage 1 – Raise your Concern

Contact your child's teacher, either at the beginning or end of the Academy day, or by phone or via the Academy email address.

If you feel the concern is more serious, you can contact the Associate / Deputy Principal or Deputy Headteacher via the academy office, by phone or via the Academy email address.

Most concerns are best resolved through conversations with the relevant member of staff.

#### Stage 2 - Contact the Executive Principal / Headteacher

If your concern has not been resolved at Stage 1, and you wish to take it further, the next step is to write to the Executive Principal / Headteacher, making it clear that you want the letter to be treated as a complaint. The Executive Principal / Headteacher will either reply in writing within 10 working days of receiving your letter, or let you know that more time is needed to investigate the issue properly.

The Executive Principal Headteacher will automatically let the Local Governing Board know that a complaint has been made, and what action has been taken as a result. Your name will not be given to the Local Governing Board at this stage.

If the concern is about the Executive Principal / Headteacher, but it has not been resolved at Stage 1, you can write to the Chair of the Local Governing Board instead (see Stage 3).

#### Stage 3 – Contact the Chair of the Local Governing Board

If you are not satisfied with the action taken from Stages 1 or 2, you can contact the Chair of the Local Governing Board.

To resolve your concern, the Chair will normally ask you to attend a meeting with the Chair and the Executive Principal / Headteacher in attendance. The Chair will be an impartial chair of the meeting, and will not favour one side over the other, but will listen to what both of you have to say. If you are not willing to attend this meeting, your complaint will not be taken any further. No one else can attend this

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meeting with you or the Executive Principal / Headteacher, and no one else can take your place or the Executive Principal / Headteacher's place.

After the meeting, the Chair of the Local Governing Board will write to you within ten working days with a response to the matter, or let you know that more time is needed to investigate the issue properly. The Executive Principal / Headteacher will be given a copy of this letter.

If the Chair of the Local Governing Board cannot find a way of resolving your complaint to your satisfaction, and the Executive Principal / Headteacher's satisfaction, he/she will have to make a judgement between your case and the Executive Principal / Headteacher's case.

#### **Stage 4 – Request a Governors' Complaints Panel**

If you are not satisfied with the action taken at Stage 3, you might be able to request a Governors' Complaints Panel. However, this can only happen if the Governors on the Complaints Panel might be able to do something more than has already been done.

This Complaints Panel is the last Academy based stage of the complaints process. Individual complaints would not be heard by the whole Local Governing Board at any stage as this would compromise the impartiality of any panel set up for any later discussions.

8. It is important that the appeal hearing 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 race, gender and religious affiliation.
9. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the academy and the complainant. The panel chair will ensure that the proceedings are as welcoming as possible. 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 hearing, if any, the child needs to attend.
10. The chair of the panel needs to ensure that the complainant is notified in writing of the panel's decision, with the panel's response; this is usually within a set deadline agreed at the hearing. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. In the event that the complainant does not feel that their complaint has been dealt with to their satisfaction by the academy they may contact Victorious Academies Trust. Contact details may be obtained from the academy office at any time.
11. If you wish to request a panel hearing, you should write to the Clerk to the Local Governing Board. If it is unclear whether the governors are able to do something more than has already been done, you will be asked to explain how you think a Governors' Complaints Panel could resolve your complaint.



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12. If a complaints panel is the right course of action, a panel will be asked to meet, normally within fifteen working days of you contacting the Clerk, depending on everyone's availability. The panel will consist of two governors who have no previous knowledge or experience of the complaint and one person who is independent of the management and running of the school. When you meet, both you and the Executive Principal can bring along a supporting person such as a friend or professional representative. However, the supporting person cannot speak on your behalf, unless invited to do so by the Panel Chair. No witnesses can be called to attend this meeting.
13. The meeting will allow you to present your case, and the Executive Principal can ask you questions. After that the Executive Principal / Headteacher will be asked to make their case, and you can ask him / her questions. The Chair of the Local Governing Board might also attend if his/her account of Stage 3 is likely to be valuable to the meeting. He/she can also ask questions, and you can ask him/her questions too.
14. After the meeting, the governors will come to a decision. They will write to you, normally within ten working days of the meeting, to let you know what that decision is. This is usually the last stage of a complaint that has not already been resolved in the earlier stages.

### What other support is there?

15. The Trust can check that a complaint has been dealt with properly, if appropriate. Their officers can also help an Academy investigate and resolve complaints when needed.

### Academy Admissions and Exclusions and Special Needs

16. These are special issues, so there is a different process for these matters. Just ask the academy for more information if your concern relates to academy admissions and exclusions.

### Complaints against Academy Staff

17. If your concern is about a particular member of staff, the issue might be better considered under the Academy's procedures for employees. If so, you will be advised by the Executive Principal / Headteacher (or Chair of the Local Governing Board if the complaint is about the Executive Principal / Headteacher).

### Who to complain to

18. If the issue is not about an Academy matter, but something which the Trust is responsible for, you can complain directly to them. To find out more, ask the Academy for further information.

### Time Limits

19. Complaints need to be considered, and resolved, as quickly and efficiently as possible and within realistic time limits that may be set by the appointed governor or Executive Principal / Headteacher and agreed by the complainant.

### Recording of Complaints

20. The Panel will make its findings and recommendations ensuring that a copy of these is
- Provided to the complainant and, where relevant, the complained about; and
  - Available for inspection on the school premises by the proprietor and the Principal.
21. Written records will be kept of all complaints, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing.

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22. All correspondence, statements and record of complaints are to be kept confidential

### **Review of Complaints**

23. The Local Governing Board will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Executive Principal / Headteacher will report any official complaints in the termly Executive Principal / Headteacher's Report to Governors.

24. As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to Academy improvement. When individual complaints are heard the Local Governing Board may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Academy and the Local Governing Board will be a useful tool in evaluating the Academy's performance.

25. Monitoring and review of complaints will also take place at Trust Board level where Members and Trustees will review the numbers and types of complaints received in connection with specific academies.

### **Publicising the Procedure**

26. There is a legal requirement for this Complaints Procedures to be publicised. Our Academies will include this information on the academy website. A copy can be requested from the Academy office.



## Appendix A: Meeting Request and Complaints Forms

Please complete and return to the Executive or Associate Principal / Headteacher / Deputy Headteacher / Chair of the Local Governing Board who will acknowledge receipt and explain what action will be taken.

### Guidance in completing the form:

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the Academy to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the Academy office. The envelope should be addressed to the Executive or Associate Principal / Headteacher / Deputy Headteacher, or to the Clerk to the Local Governing Board, as appropriate.

The Executive or Associate Principal / Headteacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Executive or Associate Principal / Headteacher (or Chair).

If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within five days of the Academy receiving your formal complaint, of how the Academy intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the Local Governing Board reviews the process followed by the Academy, in handling the complaint. Any such request must be made in writing to the Clerk to the Local Governing Board, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure.



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### Trust Meeting Request Form

*Please complete the form and return it to the Academy office*

I wish to meet with the following teacher:

Insert name:

I wish to discuss the following matter:

Brief details of topic to be discussed:

Dates / times when it would be most convenient for a meeting:

Insert dates / times:

Your name:

Your relationship to the Academy:

Pupils name if relevant:

Your address:

Postcode:

Day time telephone number:

Evening telephone number:

E-mail address:

Signature:

Date:

Academy Use only:

Date form received:

Date response sent:

Received by:

Response sent by:

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## Trust Complaints Form

*Please complete the form and return it to the Academy office – the Academy leader will acknowledge receipt of the form and inform you of the next stage in the procedure*

Your name:	
Relationship with the Academy (ie a parent of a pupil on the Academy roll):	
Pupil's name (if relevant to your complaint):	
Your address:	
Day time telephone number:	
Evening telephone number:	
E-mail address:	
Please give details of your complaint, including dates, names of witnesses, etc) to allow the matter to be fully investigated:	
	(please attach additional sheets if necessary)

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<p>What action, if any, have you already taken to try and resolve your complaint (ie who have you spoken with or written to and what was the outcome). (please attach additional sheets if necessary)</p>	<p>(please attach additional sheets if necessary)</p>
<p>What actions do you feel might resolve the problem at this stage?</p>	<p>(please attach additional sheets if necessary)</p>
<p>Are you attaching any paperwork? If so, please give details.</p>	
<p>Signature:</p>	
<p>Date:</p>	

<p>Academy Use only:</p>	
<p>Date form received:</p>	<p>Date acknowledgement sent:</p>
<p>Received by:</p>	<p>Acknowledgement sent by:</p>
<p>Complaint referred to:</p>	<p>Date:</p>
<p>Complaint referred to:</p>	<p>Date:</p>
<p>Complaint referred to:</p>	<p>Date:</p>



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**Trust Complaint Review Request Form**

*Please complete the form and return it to the Academy office – the Academy leader will acknowledge receipt of the form and inform you of the next stage in the procedure*

Your name:	
Relationship with the Academy (ie a parent of a pupil on the Academy roll):	
Pupil's name (if relevant to your complaint):	
Your address:	
Day time telephone number:	
Evening telephone number:	
E-mail address:	

Dear Sirs,

I submitted a formal complaint to the Academy on (insert date) and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to (insert name) and I received a response from (insert name) on (insert date).

I have attached copies of my formal complaint and of the response(s) from the Academy.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper or attach additional documents if you wish.

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

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

Signature:

Date:

Academy Use only:

Date form received:

Date acknowledgement sent:

Received by:

Acknowledgement sent by:

Request referred to:

Date:

Request referred to:

Date:

Request referred to:

Date: