



Serlby Park Academy

Complaints Policy

Setting standards for success

Date of Last Review/update:	Jan 2017
Reviewed by:	RTH
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1.0 Roles and Responsibilities

The responsibility for the implementation of this policy and provision rests with the Principal. In view of the strategic importance of this policy, the management, responsibility and evaluation of this policy will remain with the **Principal**.

2.0 Suggested Audience

All EAB members. All administration, teaching and support staff and parents/carers. As part of their Academy induction or professional development, all relevant staff will participate in training which enables them to competently apply the principles and procedures defined in this policy.

3.0 Related policies

This policy is part of a suite of policies which should also be referred to:

- Home-Academy procedures
- Student Behaviour Policy
- Equal Opportunities Policy

4.0 Academy Mission Statement

Setting standards for success

5.0 Aim

This Academy is a member of the Delta Academies Trust (DAT). The Academy will work closely with DAT staff and other DAT academies to ensure that this policy is fully implemented. The aim of this policy and accompanying procedure is to achieve a fair, effective and speedy resolution of parental/carers concerns about the education and/or the welfare of individual pupils in the care of the Academy.

6.0 Availability of the Complaints Policy and Procedure

This policy and procedure is available on request to pupils, parents/carers and prospective pupils of the Academy. While pupils may, themselves, raise concerns and complaints under this policy and procedure, the Academy will involve parents/carers should this occur. Copies of the Complaints Policy are available from;

The Principal
Serlby Park Academy
Whitehouse Road
Bircotes,
Doncaster
DN11 8EF

A copy of this Complaints Policy is also available from the Academy reception and on the new website

7.0 Outline

- 7.1 This policy and procedure is for the benefit of pupils and parents/carers of pupils at the Academy. This policy and procedure will be relied upon for all complaints by parents/carers and pupils made against the Academy **except with regard to:**
- (a) **Child Protection allegations** where a separate policy and procedure applies; and
 - (b) **Exclusions** where a separate policy and procedure applies; and
 - (c) **Appeals relating to internal assessment decisions for external qualifications** where any appeal will be made directly to the examination board.
- 7.2 The Academy expects that most concerns can be resolved informally and will use its best endeavours to resolve any complaints that are made informally or any concerns that are raised on that basis.
- 7.3 If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Principal and will be dealt with under this Complaints Policy and Procedure.
- 7.4 Every complaint shall receive fair and proper consideration and a timely response.
- 7.5 The Academy will do all it can to resolve all concerns, to ensure parents/carers are happy with the education that their children receive at this Academy.
- 7.6 Parents / carers can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.
- 7.7 Correspondence, statements and records will remain confidential bearing in mind paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

8.0 Complaints Procedure

- 8.1 The Academy's complaints procedure will:
- Encourage resolution of problems by informal means wherever possible
 - Be easy to obtain and clearly publicised
 - Be simple to understand and use
 - Be impartial
 - Be non-adversarial
 - Allow swift handling with clear 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 Education Advisory Board and Principal so that services can be improved.
- 8.2 The Academy will be clear about the difference between a concern and a complaint.

We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints. Many concerns or enquiries will be resolved by staff without the need to invoke this process, as a natural part of the Academy's daily life. As a general rule, the Principal will only be involved in complaints of a more serious nature.

Stages in our Complaints Policy

9.0 Stage One

1. It is hoped that most concerns and complaints will be resolved quickly and informally.
2. The main contact person between parents/carers and the Academy will always be your child's HOY, Form Tutor, Class Teacher or Head of Primary Academy. All Academy systems will work through HOY, Form Tutors/Class Teachers to provide a clear and constant link with families. In most cases, the matter should be resolved quickly by this means. If the HOY, Form Tutor/Class Teacher cannot resolve the matter satisfactorily, it may be necessary for him/her to consult other Academy staff.
3. Complaints made directly to the Principal will usually be referred immediately to the HOY, Form Tutor/Class Teacher or Head of Primary Academy, Principal deems it appropriate to deal with the matter personally.
4. The HOY, Form Tutor/Class Teacher or Head of Primary Academy will make a written record of all concerns and complaints and the date on which they were received. (See Annex A) The HOY, Form Tutor/Class Teacher or head of Primary Academy will inform other relevant colleagues on the day of receiving any concern or complaint, to quickly resolve the issue presented. These records will be kept securely for **one (1) year after** the pupil leaves the Academy.
5. The Academy will use its reasonable endeavours to resolve any informal complaints within **ten (10) working days** of them being raised, except where they are raised internally. The Academy will seek to resolve internal complaints as quickly as possible, but will not be bound by the ten day response protocol for external (parental/carer) complaints
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the HOY, Class Teacher /Form Tutor or Head of Primary Academy and the parents /carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

10.0 Stage Two - Formal Resolution

1. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents/carers should put their complaint in writing to the Principal. Parents/carers should also identify how they wish their complaint to be resolved.
2. The Principal will normally delegate responsibility for undertaking an investigation of the complaint to the Assistant Principal or Head of Academy Primary unless he/she deems it appropriate for him/her to deal with the matter personally.

3. The Principal will decide, after considering the complaint and the results of the investigation, the appropriate course of action to take.
4. In most cases, the Principal will meet or speak with the parents/carers concerned to discuss the matter. If possible, a resolution will be reached at this stage.
5. The Principal will use reasonable endeavours to speak to or meet parents / carers within **ten (10) working days** of the formal complaint being received, except where the complaint is received in Academy holidays. Where the appeal is received by the Academy during a holiday, the Academy has ten (10) working days upon commencement of the Academy term to speak or meet with the parents/carers.
6. It may be necessary for the Assistant Principal to carry out further investigations.
7. The Principal will keep a written record of all meetings and interviews held in relation to the complaint and store these securely.
8. Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents / carers will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than **ten (10) working days** after speaking or meeting with parents to discuss the matter (See paragraph 4 above). The Principal may also arrange to meet with parents to explain the decision.
9. The Academy will keep a confidential written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the Academy's decision, which records will be kept for **one (1) year** after the pupil leaves the Academy. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
10. Where parents/carers are dissatisfied with the outcome of the Academy's response to their formal complaint, the parents/carers have the opportunity to have their complaint considered by an independent Complaints Panel.

11.0 Stage Three – Panel Hearing

1. If parents /carers seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Principal's decision in respect of their formal complaint, the parents /carers may request in writing addressed to the Principal, that their complaint be further considered by an independent Complaints Panel set up for this purpose.
2. This request for further assessment of the complaint will, for the purposes of this procedure, be known as 'an appeal'.
3. Parents/carers must lodge their appeal in writing and within **ten (10) working days** of the date of the Academy's decision made in accordance with the Stage Two Procedure. Parents /carers should provide details of their complaint(s) made against the Academy and the reasons why they believe the complaint(s) have been unresolved by the Stage Two Procedure, along with the solutions suggested to resolve the complaint.

4. 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.
5. Where an appeal is received by the Principal, the Academy will, within **five (5) working days**, refer the matter to the Clerk to the Governing Body who will act as Clerk to the Complaints Panel. Where the appeal is received by the Academy during a holiday, the Academy has five (5) working days upon commencement of the school term to refer the matter to the Clerk.
6. The Clerk provides an independent source of advice on procedure for all parties.
7. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within **five (5) working days**, and inform the parents of the steps involved in this Complaints Procedure.
8. The Clerk will then endeavour to convene an independent 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 parents'/carers' letter that they wish to invoke the Stage Three Procedure, dependent upon the availability of the panel members.
9. The independent Complaints Panel will consist of two EAB members 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 Children Schools and Families. (DCSF) (now Department for Education, DfE)
10. The following are entitled to attend a hearing, submit written representations and address the panel:
 - (a) The parent(s)/carer(s) and/or one representative;
 - (b) The Principal 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

11. 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) Times and key dates relating to complaint(s), and
 - (c) A 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 the parents/carers.

12. 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.

13. 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 parents'/carers' complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out.
14. 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 Education Advisory Board and DAT Trust, although any such approval must be compatible with the decision of the Complaints Panel.
15. The panel's findings will be sent by the Clerk in writing or via e-mail (in consultation with parents/carers) to the parents/carers, the Education Advisory Board, the DAT Trust Board and, where relevant, the person complained about. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.
16. The Academy will keep a secure record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for **one (1) year** after the pupil leaves the Academy.

12.0 Monitoring and Review

The Principal will review this policy at least every two years and assess its implementation and effectiveness. A report will be provided to the Education Advisory Board. The policy will be promoted and implemented throughout the Academy.

13.0 Approval by Education Advisory Board and Review Date

This policy has been formally approved and adopted by the Education Advisory Board at a formally convened meeting

Signed: _____
(Chair of Education Advisory Board)

Date: _____

Review date: June 2016

End of statement

Appendix 1 – Serlby Park Academy Complaint Form

Please complete and return to (name of HOY, Form Tutor/Class Teacher) 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:

Evening 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:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix 2 – Complaints Flowchart

