

## **COMPLAINTS PROCEDURE**

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Portfolio Group responsible: Community Relations,  
Communications and Admissions

Origin: Optimus Education



**All school policies reflect the school values of:**

**Hope  
Kindness  
Courage  
Integrity  
Trust  
Respect  
Responsibility**

### **Introduction**

The Ilfracombe Academy is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All school staff will be made aware of complaints procedures and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

### **This policy does not apply to complaints about:**

- Pupil admissions
- Pupil exclusions

Each of these follows its own process of complaints and appeals which are outlined in the relevant policies.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our pupils, read our **child protection and safeguarding policy**, and the **staff discipline** policy.

Anonymous complaints will not be examined under this policy.

### **1. When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You will then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's form tutor first as they will be best placed to help you either directly or by asking to speak with the member of staff concerned.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further or referred back to in the future – what the initial problem was.

**If your complaint is about a member of staff**, you should first raise this with the headteacher either in person or in writing, and a meeting can be arranged with the headteacher to discuss the issue at hand.

**If your complaint is about the headteacher**, you should raise your concern in writing with the Chair of the Local Governing Body.

If your complaint is about a governor, you should raise your concern in writing with the clerk to the governing body for the attention of the Chair of Directors.

The chair of governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

## **1.2 Initial informal meeting**

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the headteacher/chair of governors to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.

## **2. Formal complaints**

In order to ensure that complaints are processed efficiently and effectively, The Ilfracombe Academy deals with formal complaints in three stages:

### **Stage 1**

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the headteacher.

The headteacher should acknowledge your complaint in writing within 5 school days. They may already be aware of the situation.

The headteacher may ask you to attend a meeting to discuss the issue outcome, possible solutions, or to explain how your complaint has been dealt with.

The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. This record will be kept confidentially by the school but may be inspected where appropriate by the Secretary of State or any inspection body.

If the complaint is against a member of staff, the headteacher will talk to that employee. If it is an allegation of abuse, the matter is referred to the Local Authority Designated Officer. The headteacher will respond to you in writing within 5 school days.

### **Stage 2**

If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint, you may lodge your complaint with the chair of governors in writing, explaining your concern and the steps that have lead up to you taking this course of action.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 5 school days of the complaint being lodged with them.

The chair of governors will respond to you in writing within 10 school days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

## **3. Appeals**

### **Stage 3:**

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the appeals panel. You should write to the clerk to the Local Governing Body to exercise this right within 10 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 10 school days it will be deemed that the decision is accepted and the complaint will be closed.

If an appeals panel is requested, the clerk to governors will acknowledge your appeal and make the necessary arrangements, and will usually convene the appeals panel within 15 school days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 days before the appeals panel hearing.

You will be entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

### **The appeals panel**

The appeals panel will be made up of between three and five members of the Local Governing Body, but will also include at least one person independent of the management and running of the school.

No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

### **Appeals procedure**

The procedure for an appeal is usually as follows:

1. *The complainant and headteacher will enter the hearing together.*
2. *The chair will introduce the panel members and outline the process.*
3. *The complainant will explain the complaint.*
4. *The headteacher and panel will question the complainant.*
5. *The headteacher will explain the school's actions.*
6. *The complainant and panel will question the headteacher.*
7. *The complainant will sum up their complaint.*
8. *The headteacher will sum up the school's actions.*
9. *The chair will explain that both parties will hear from the panel within 10 working days.*
10. *Both parties will leave together while the panel decides.*
11. *The clerk will stay to assist the panel with its decision making.*

**Note:** *There may be some situations where it is best to amend the above procedure so that the panel can hear from the school and complainant separately.*

The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 10 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the Local Governing Body and will set out any further rights of appeal.

### **The appeals panel may:**

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.

### **4. Vexatious complaints**

Whilst it is hoped that this policy will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints policy.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

### **5. Governing Body – review and monitoring of complaints**

The Ilfracombe Academy will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

The governing body will review the complaints policy every 3 year(s).

### **5. Staff complaints**

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **whistleblowing policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline and grievance policies**. These policies are available for staff through the school website.

### **6. Other Complaints**

Where complaints are received from anyone other than a parent of an attending pupil, this policy will be applied as applicable.

## Contact details

Questions regarding the complaints policy may be forwarded to the Headteacher, Chair of the Local Governing Body or Clerk to the Local Governing Body. These parties can all be contacted via the school.

<b>POLICY HISTORY</b>				
Policy / Version Date	Summary of change	Contact	Implementation Date	Review Date
2015	New version from Optimus Publishing adapted	S Marshall		