



## COMPLAINTS POLICY

Policy Version			
Date	Document Version	Document Revision History	Document Author/Reviser
22 June 2017	Version 1.0	N/A	Emily Haddock

This policy will be reviewed every 12 months in light of local and Government legislation.

At Mountwood  
Academy we  
nurture our young  
people through  
quality experiences  
to never stop  
learning and be the  
best they can be.

## **Guidance**

The complaints procedure at Mountwood Academy has three stages, to be covered in a period of 28 days excluding school holidays and weekends between the complaint being made and the final resolution. The DfE does not distinguish between a 'concern' and a 'complaint'. Any matter about which a parent of a pupil is unhappy and seeks action by the school is considered as a complaint and will be addressed in accordance with this policy. In this respect, it is anticipated that the large majority of complaints will be resolved at the informal stage.

The school will keep records of complaints which are resolved at the informal stage for management purposes, for example to enable patterns or trends to be monitored. A formal written and/or electronic record is kept of complaints made to the school which reach the formal stage. Details will be recorded of;

- whether the complaint was resolved following the formal stage or proceeded to a panel hearing;
- action taken by the school as a result of the complaint, (regardless of whether the complaint was upheld).

Records are kept for at least three years. The school will provide ISI and Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

### **Stage 1 - Informal complaint (Resolution within 5 working days)**

All complaints may be made on an informal basis initially; verbally or in writing. Sections A-F deal with any informal complaints. In many instances issues will be dealt with straight away. Where further information is required every effort will be made to make an initial response within 24 hours of the issue being raised.

#### **A Complaints by parents about a member of staff**

- i. Direct discussion with parents and Head Teacher
- ii. Direct discussion with member of staff followed by conversation between member of staff and parents and aggrieved parties
- iii. Action on points raised agreed
- iv. Review situation

#### **B Complaints by parents about another child.**

- i. Class teacher involved immediately.
- ii. If necessary, playground supervisors involved and class teacher to observe in the playground.
- iii. All teachers are informed at staff meetings for classroom awareness.
- iv. "Complaining" parents telephoned; procedures explained; offered opportunity to talk further and asked to telephone immediately with any further/future concerns.
- v. Conflict noted on children's profiles and SMT ensure where possible that class teacher/tutor mitigates conflicts.
- vi. In instances of bullying the procedure is outlined in our anti-bullying policy
- vii. Where necessary steps will be taken in accordance in the school Behaviour and Exclusions policy

**C Complaints by a child about a child.**

- i. All parties are separately seen by staff, as a fact collecting exercise.
- ii. Staff are informed in staff meetings.
- iii. Parents/carers are informed
- iv. In instances of bullying the procedure is outlined in our anti-bullying policy
- v. Where necessary, steps will be taken in accordance with the school Behaviour policy

**D Complaint by a member of staff about a colleague.**

This is usually made to the Head Teacher either informally or in appraisal.

- i. Informally: the Head Teacher discusses matter with member of staff and offers to intervene tactfully. Usually the member of staff chooses to speak to the other staff member him/herself. SMT ensure that situations likely to cause friction/ aggravation between staff concerned are avoided.
- ii. In appraisal; Procedures as above, though the complaint is noted. In order to maintain a happy community, all staff are asked by the Head Teacher in appraisal, if they have any concerns
- iii. If the complaint is about the Head Teacher the complaint should be made to the Head of Service

**E Complaints by residents**

- i. Whoever takes the call, listens sympathetically and collects as much information as possible.
- ii. Subsequent action varies according to information.

**F Complaints by former pupils**

This policy does not apply to complaints made by former pupils unless the complaint was first raised whilst the pupil was still registered at the school.

**Stage 2 - Formal Complaint (Resolution within 10 working days)**

Where the complainant(s) are not satisfied with the response of the school, through the procedures outlined above they may register a formal complaint. This should be done in writing to the head, including,

- The nature of the complaint
- The reasons for their dissatisfaction with the school's response

The Head Teacher will meet with the complainant as soon as is practical, to discuss the matter and, if possible, to reach a resolution at this stage. Where a complaint is received during a school holiday, it will be deemed to have reached the school on the first full school day following its arrival. It may be necessary to carry out further investigations. The Head Teacher will keep written records of all complaints, and of meetings held in relation to them.

Once the Head Teacher is satisfied that all the relevant facts have been established, a response to the complaint will be made and the complainant will be informed in writing, within ten school days: the nature of the response will depend on the nature of the complaint but it will always give a judgement whether and to what extent, if at all, the complaint is justified, and reasons; the response may include actions which

the school intends to take or a decision. A complainant who is not satisfied should proceed to the next stage.

### **Stage 3 - Independent Resolution - Panel Hearing (Resolution within 15 working days)**

If Stage 2 has not resolved the complaint to the satisfaction of the parent or carer, he/she should write within ten (10) school days to the Head Teacher, requesting a hearing before the complaints panel. The Head Teacher will acknowledge the letter of complaint within five (5) school days.

The panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The panel's task is to establish the facts surrounding the complaints that have been made. If the panel considers that the complaint is valid, it will uphold the complaint. If the panel consider that the complaint is without foundation, it will dismiss the complaint. The panel will make these decisions on the balance of probability. It is not within the powers of the panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The panel may make recommendations on these or any other issue to the Head Teacher.

A panel of three, consisting of the Proprietor and a Governor and a third independent member will be convened to hear the complaint, within fifteen (15) school days. This independent member will not be associated in any way with the school or the proprietors and will be a person of with professional competence (usually a serving or retired Head) or failing that through the appointment of an Independent Person, who would meet the standard for independence, as defined by the requirement that is laid down in The Children Act 1989 Representations Procedure (England) Regulations and Guidance, "Getting the Best from Complaints". None of these members will have been involved in the matters detailed in the complaint

It is important that the complaint panel should not only be independent, but be seen to be so. The full governing body should not consider individual complaints in case the investigation leads to a disciplinary hearing that would need to be heard by a separate group of governors. Similarly, some governors may have prior knowledge of a problem, which might make them unable to give fair and unbiased consideration to the issue.

The school will appoint a clerk to the panel from amongst their staff. Members of the panel will have access to all relevant documentation and will be able to ask the school and the parent or carer for any other relevant information or documentation. It is intended that the process should not be legalistic. Parents may be accompanied at this meeting by another family member, if appropriate and by another person (e.g. relative, friend or a relevant specialist). If possible, the panel will resolve the parent's or carer's concern without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation.

After due consideration of all relevant facts, the panel will give a written finding in response to the complaint: the finding will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the

complaint is justified, and the panel's reasons. The finding may include recommendations or actions which the panel requires the school to take. The finding of the panel will be final. A copy of the finding will be sent to the complainant, Headteacher and any, where relevant, person who is the object of the complaint by electronic mail. Where electronic mail is not appropriate, a copy will be given or sent in the post. A written response to the complainant will be made as soon as possible but in any case within 15 school working days of the panel

### **Vexatious complaints**

A good procedure can help limit the number of protracted complaints. It is not appropriate to make personal accusations or attacks on members of school staff, or to raise matters that are not about education or a pupil's well-being. It is also not appropriate to make unsubstantiated allegations against the school, or to behave unreasonably by not engaging with the school to attempt a joint resolution. If a complainant attempts to reopen issues that have been dealt with through the complaints procedure it will be explained that the procedure has been exhausted.

If a complainant acts unreasonably by continuing to raise similar issues, or raising a range of unrelated issues on a repeated basis then the school reserves the right not to respond. If a complainant in this category refuses to engage in the school's formal complaints procedures, but continues to complain, then the Head Teacher or the Proprietor will inform the complainant that the complaints are vexatious.

### **Monitoring complaints**

Each school will monitor complaints. Details to include:

- Name of complainant
- Details of the complaint
- How the complaint was investigated and by whom
- When the complaint was made
- The results and conclusions of the investigation(s)
- Any action taken as a result

### **Appendix 1: Number of complaints registered under the formal procedure during the year 2015-2016.**

Schools are required to publish the number of complaints registered under the formal procedure during the preceding school year.

### **Monitoring and review**

The implementation of this policy will be monitored by the Head Teacher, who will make an annual report to the Proprietor.

### **Approval by Mountwood Academy**

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_  
Review date: \_\_\_\_\_

This policy, signed by the Proprietor on behalf of Mountwood Academy, is held by the Head Teacher.

**End of policy statement**