



The Northumberland Church of England Academy

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DEALING WITH COMPLAINTS POLICY/ COMPLAINTS PROCEDURE

Policy Links to the Academy Mission Statement

Parents/carers and The Northumberland Church of England Academy are partners in education. The support and co-operation of parents/carers are vital if we are to establish and maintain high standards of work, behaviour and dress. Staff seek to provide a service to parents/carers in which there is a high quality of teaching, learning and pastoral care.

Dialogue between Academy staff and parents/carers is encouraged and it is expected that parents/carers will have normal and legitimate concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents/carers are encouraged to make those concerns known to staff at the The Northumberland Church of England Academy so that they can be addressed in partnership.

All staff are encouraged to differentiate between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied and the complaint is termed 'vexatious'. This policy sets out the principles and procedures adopted by The Northumberland Church of England Academy in dealing with complaints.

Statutory Framework

The School Standards and Framework Act 1998 provided an additional function of the Governing Body to establish and publicise procedures for dealing with complaints relating to the school, other than those that are covered by legislation and formal procedures elsewhere.

Section 157 of the Education Act 2002 requires, in terms of independent school standards, that regulations shall prescribe standards about the manner in which independent schools handle complaints.

The Education (Independent School Standards) (England) Regulations 2003 which came into force on 1st September 2003 require that: "A school shall provide to parents of pupils and prospective pupils and on request to others, including the Chief Inspector and the Secretary of State, details of the complaints procedure set out in accordance with [paragraph 7](#) of the regulations, and the number of complaints registered under the formal procedure during the preceding school year."

Purposes and Principles

Concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended Academy provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.



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The following framework of principles governs our handling of complaints so that the process:

- Encourages resolution of problems by informal means wherever possible.
- Is easily accessible and publicised and simple to understand and use.
- Is seen to be impartial.
- Is non-adversarial and aims to identify areas of agreement between the parties.
- Clarifies any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
- Resolves the issue maintaining the best interests of the student or students involved (where that is applicable);
- Provides information to the Academy's senior staff so that services can be improved.

Implementation

The policy will be put into practice through the following roles and responsibilities:

- All staff have a responsibility to ensure that concerns and complaints are dealt with under the terms of this policy. Their first aim in responding to a complaint should be to use informal means to resolve the matter. Members of staff may be called upon to hear a complaint under stage one of the formal complaints policy.
- The Director Operations is the Complaints Coordinator with responsibility for the coordination and management of issues under the formal complaints procedure. The Complaints Coordinator is normally the person who would investigate a complaint. The Coordinator will be required to report annually to the Governing Body.
- The Complaints Co-ordinator will ensure that all staff are familiar with the complaints policy and procedures. He is responsible for maintaining records and holding them centrally.
- The Complaints Coordinator will prepare a brief annual report for senior staff and the Governing Body stating the number of complaints dealt with under the formal complaints procedure with a brief analysis of the nature and outcome of those complaints and whether or not they were resolved at the preliminary stages or went to an appeal hearing.
- Records should be archived for 1 year and for longer in exceptional circumstances
- The Executive Director has an overall responsibility for the management of complaints. He is also responsible for hearing a complaint if it reaches the second stage.



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- The Executive Director will ensure that appropriate training is provided for staff for the effective implementation of this policy.
- The Governing Body is responsible with the Executive Director for creating and publishing and implementing a formal complaint procedure.

Procedures

In the event of a complaint the procedure outlined above should be adhered to. This is available from Primary Managers or from Central; Administration for parents/carers and students.

At each stage of the procedure it is helpful to clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility in the application of the procedure; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Executive Director after a meeting with the complainant

The complaints procedure must:

- Explain how a concern or a complaint can be made and to whom;
- Set out the importance of being able to deal with concerns at an early stage and using informal processes;
- Set out clearly the stages to be used in dealing with a complaint and the way the complaint will be investigated and recorded;
- Set out clear timetables for the management of the complaint.
- The formal complaints procedure should have three stages:
- Stage one - complaint heard by staff member (though not the subject of the complaint);
- Stage two - complaint heard by Principal Director Operations or Executive Director within 24 hours
- Stage three - complaint heard by Governing Body's Complaints Appeal Panel within one week
- A model complaints procedure can be found at Appendix 1. A model appeals process can be found at Appendix 2.
- The procedure specifies how a complaint will be dealt with if it concerns the conduct of the Executive Director or a governor. In these instances the complaint will be heard by the



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Executive Director in relation to a governor and Principal Director in relation to the Executive Director within 24 hours and immediately referred to the Chair of Governors.

- For each complaint being dealt with under the formal complaints procedure, a person should be appointed to investigate the complaint who would normally be the Complaints Coordinator.

In carrying out an investigation, it is recommended that the Complaints Coordinator should:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

At each stage in the procedure The Northumberland Church of England Academy will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of should not recur;
- an explanation of the steps that have been taken to ensure that it should not happen again;
- an undertaking to review The Northumberland Church of England Academy policies in light of the complaint.

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The formal complaints procedure will set realistic time limits for each action within each stage. However, where



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further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

There is a legal requirement for the formal complaints procedure to be publicised. The Academy complies with this requirement in the following ways:

- As part of the information given to new parents/carers when their children join the Academy;
- It forms part of any home-Academy partnership
- As part of documentation supplied to community users including course information or letting agreements;
- As a specific complaints leaflet which includes a form on which a complaint can be made;
- With posters displayed in areas of the Academy that will be used by the public, such as reception or the main entrance;
- The Academy website.

Recording and Recordkeeping

The Northumberland Church of England Academy will keep a record of the progress of each complaint and the final outcome.

A complaint may be made in person, by telephone, or in writing. An example of “Managing a Complaint” form can be found at Appendix 3. At the end of a meeting or telephone call, it is helpful if the member of staff and the complainant and The Northumberland Church of England Academy have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls should be kept and a copy of any written response added to the record.

Appeals

- The appeals process is stage three of the formal complaints procedure. The decision of the Appeals Panel is final.
- The Appeals Panel must consist of at least three people who have not been involved in the complaint and who have no prior knowledge of the circumstances. At least one member must be independent of the running of the Academy.
- The complainant may attend the hearing in person and may be accompanied if they so wish.
- There may 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 should inform them in writing that the procedure has been exhausted and that the matter is now closed.



Monitoring, Evaluating and Reviewing

- The Principal Director Operations Co-ordinator will report to the Executive Director annually and more frequently if required through systematic monitoring. The policy and procedures will be reviewed every two years to ensure that the operation meets the aims of the policy. The Executive Director will report to the Governing Body.
- The Governing Body 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. Complaints information shared with the whole Governing Body should not name individuals.
- As well as addressing an individual's complaints, the process of listening to and resolving complaints should contribute to Academy improvement. When individual complaints are heard, schools and Academies may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Academy and the Governing Body can be a useful tool in evaluating an Academy's performance.
- The Governing Body will regularly review this policy and associated procedures to ensure their continuing appropriateness and effectiveness.

Links with other policies

In order for the Dealing with Complaints Policy to be fully effective it must be implemented in line with the requirements of the:

- Equal Opportunities Policy
- Anti-bullying Policy
- Anti-racism policy and all other academy statements that relate to professional conduct.



APPENDICES TO SUPPORT THE OPERATION OF THE POLICY

Appendix 1: Model Complaints Procedure

Informal Resolution

It is recognised that parents/carers will, from time to time, have normal and legitimate concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents are encouraged to make those concerns known to staff in the Academy so that they can be addressed in partnership with the Academy. Almost invariably, the sooner such concerns are raised the easier it is for an appropriate resolution to be found.

A concern or complaint may be raised with any member of staff. At The Northumberland Church of England Academy this would normally be your child's Primary Manager or Student Support Manager. That person will try and resolve the matter or will refer you to the appropriate person.

The member of staff will make a written record of all concerns and complaints and the date on which they were received. If the matter cannot be resolved within 3 school days or in the event that you are not satisfied, you will be advised to proceed to make a formal complaint to the Complaints Coordinator. If the complaint concerns the Executive Director, the Principal Director Operations Complaints Co-ordinator would normally refer you to the Chairman of the Governing Body.

Stage One: Complaint Heard by Staff Member

If you need to make a formal complaint it should be in writing and sent to the Principal Director Operations Complaints Coordinator. If you have difficulty in putting your complaint in writing, you are asked to make an appointment with the Complaints Coordinator who will help you do that. The Complaints Co-ordinator may appoint a member of staff to deal with the paperwork but not the decisions taken.

The Complaints Coordinator will decide the best person to hear the complaint. It would be helpful if you could indicate if there is someone with whom you might have difficulty discussing the complaint so that your views can be respected. Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, the Complaints Coordinator may consider referring you to another staff member. The member of staff may be more senior but does not have to be.



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In most instances, there will need to be an investigation in order to understand the circumstances surrounding the complaint. That investigation will normally be undertaken by the Complaints Coordinator.

If the matter cannot be resolved within 5 school days following receipt of the written complaint or in the event that you are not satisfied, you will be advised to take your complaint to the second stage of this procedure.

The Complaints Coordinator will make a written record of the complaint, the date on which it was received the date on which the matter was dealt with and the outcome of the procedure. You will receive a copy of this written record within a reasonable time following this process. This written record will be held on file.

Stage Two: Complaint Heard by the Executive Director

If you are not satisfied with the outcome of stage one, if you feel that your complaint is sufficiently serious or if you are dissatisfied with the way in which your complaint has been handled, you may take your complaint to the second stage of this procedure.

You should put your complaint in writing to the Executive Director. Again, if you have difficulty in doing that, you are asked to seek assistance from the Complaints Coordinator.

The Executive Director may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The decision in respect of this complaint will normally be made within 5 school days of the Executive Director receiving the complaint. If the Executive Director feels that it is necessary, within reason, to ask for additional time, you will be informed. Again a written record will be made of the decision and this will be held on file.



Appendix 2: Model Appeals Procedure

- 1 The third stage of the formal complaints procedure is the Governing Body's Appeals Panel.
- 2 The appeals procedure is invoked when a complainant is not satisfied with the outcome of the second stage of the procedure or with the handling of a complaint by the Executive Director.
- 3 The complainant is required to put their complaint in writing to the Chair or to the Complaints Coordinator marked for the Chair. It is important that the complainant should set the matter out in sufficient detail.
- 4 On receiving a written complaint under the appeals procedure, a hearing by an Appeals Panel will be arranged within 10 working days.
- 5 The complainant may attend the hearing in person and may be accompanied if they so wish, in which case, they are required to notify the clerk of the name and occupation of such a person.

The Composition of the Appeals Panel

- 6 Care must be taken not to involve the whole Governing Body as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
- 7 The panel would normally consist of three people at least one of whom will be independent of the Governing Body and the running of the Academy. The panel may choose their own chair.
- 8 It is important that the appeal hearing is as independent and impartial as possible 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 composition 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.



The Role of the Appeals Panel

- 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. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- 10 An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. The panel chair will ensure that the proceedings are as welcoming as possible. Care is needed to ensure the setting is informal and not adversarial. Extra care needs to be taken when the complainant is a child.
- 11 The panel may:
 - (a) dismiss the complaint in whole or in part;
 - (b) uphold the complaint in whole or in part;
 - (c) decide on the appropriate action to be taken to resolve the complaint;
 - (d) recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

Roles and Responsibilities

- 12 It is strongly recommended that a clerk be appointed who would be the contact point for the complainant and be required to:
 - (a) set the date, time and venue of the hearing, ensuring that the dates are convenient or acceptable to all parties and that the venue and proceedings are accessible;
 - (b) invite both the complainant and the Executive Director to put their position in writing for the Panel to consider;
 - (c) collate any written material and send it to the parties in advance of the hearing;
 - (d) record the proceedings;
 - (e) notify all parties of the panel's decision.



- 13 The Chair of the Panel has a key role, ensuring that:
- (a) the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
 - (b) written material is seen by all parties;
 - (c) key findings of fact are made and each side is given the opportunity to state their case and ask questions;
 - (d) the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
 - (e) the panel is open minded and acting independently.

Notification of the Panel's Findings and Recommendations

- 14 The Chair of the Panel needs to ensure that the Governing Body, the Executive Director and the complainant are notified of the panel's findings and recommendations, in writing, with the panel's response within 3 working days of the hearing.
- 15 The decision of the Appeals Panel is final.



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Appendix 3: Managing a Complaint Form

Please complete and return to the Principal Director Operations Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

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?

(To whom did you speak to and what was the response?)

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



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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: