

## G1 CONCERNS AND COMPLAINTS POLICY

**Last Reviewed:**

**May 2018**

**Next Review:**

**May 2020**

**Responsible:**

**Principal**

### Introduction

This Concerns and Complaints Policy is for use by parents/carers who have students on roll at the academy. It can also be used for members of the community who are not parents/carers of students at the academy.

It will be relied upon in respect of all complaints by parents/carers made against the academy except in respect of:

- **child protection allegations, exclusions, admissions and SEN**, where separate policies and procedures apply. The Principal or the Concerns & Complaints Officer can give information and advice about complaints in these areas.

There are certain other complaints which fall outside the remit of the governing body's complaints procedure; for example, staff grievances or disciplinary procedures. Any complaints concerning the conduct of academy staff will be handled in accordance with the academy's internal disciplinary procedures. The details of such an internal investigation will remain confidential.

Those raising a concern will be offered:

- An opportunity to resolve a concern with the academy on an informal basis, for example through discussion with a senior member of staff
- A formal complaint stage where a complaint is made in writing
- A hearing with a panel appointed by or on behalf of the Governing Body and consisting of at least 3 people who were not directly involved in the matters detailed in a complaint, one of whom must be independent of the management and running of the academy

Allegations of abuse involving a member of the academy staff must be reported to the Principal immediately. Allegations of abuse involving the Principal must be reported to the Chair of Governors immediately.

The academy reserves the right to seek external advice and support at any time that it is considered necessary or appropriate in respect of either a complaint or concern.

The academy Concerns & Complaints Officer is Mrs J Smith, telephone 020 8950 9502 or email: [jsmith@thebusheyacademy.org](mailto:jsmith@thebusheyacademy.org).

## **Resolving Complaints:**

The key objective at each stage in the procedure will be to endeavour to resolve the complaint. This may be to acknowledge that the complaint is valid in whole or in part, or to identify why it is not.

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 will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review academy policies in light of the complaint

## Stage 1 – Concerns Procedure

Concerns are matters that can usually be resolved informally; if a concern is not resolved then the complainant will have the opportunity to put the complaint in writing and the formal complaint procedure will then be engaged. It is in everyone's interest that matters are resolved at the earliest possible stage. The experience of the first contact is crucial in determining whether the concern will escalate. Concerns may be expressed verbally or in writing, via letter or email.

All matters of concern are documented in a log.

### Stage 1 – Concerns Procedure

#### **Stage One:**

Informal concern – meeting with an appropriate member of staff to discuss issues – solutions discussed with implementation and strategies considered and agreed.

There may be a need for more information gathering and a further meeting at Stage One may be required.

The academy will respond in writing within 10 school days of the initial meeting.

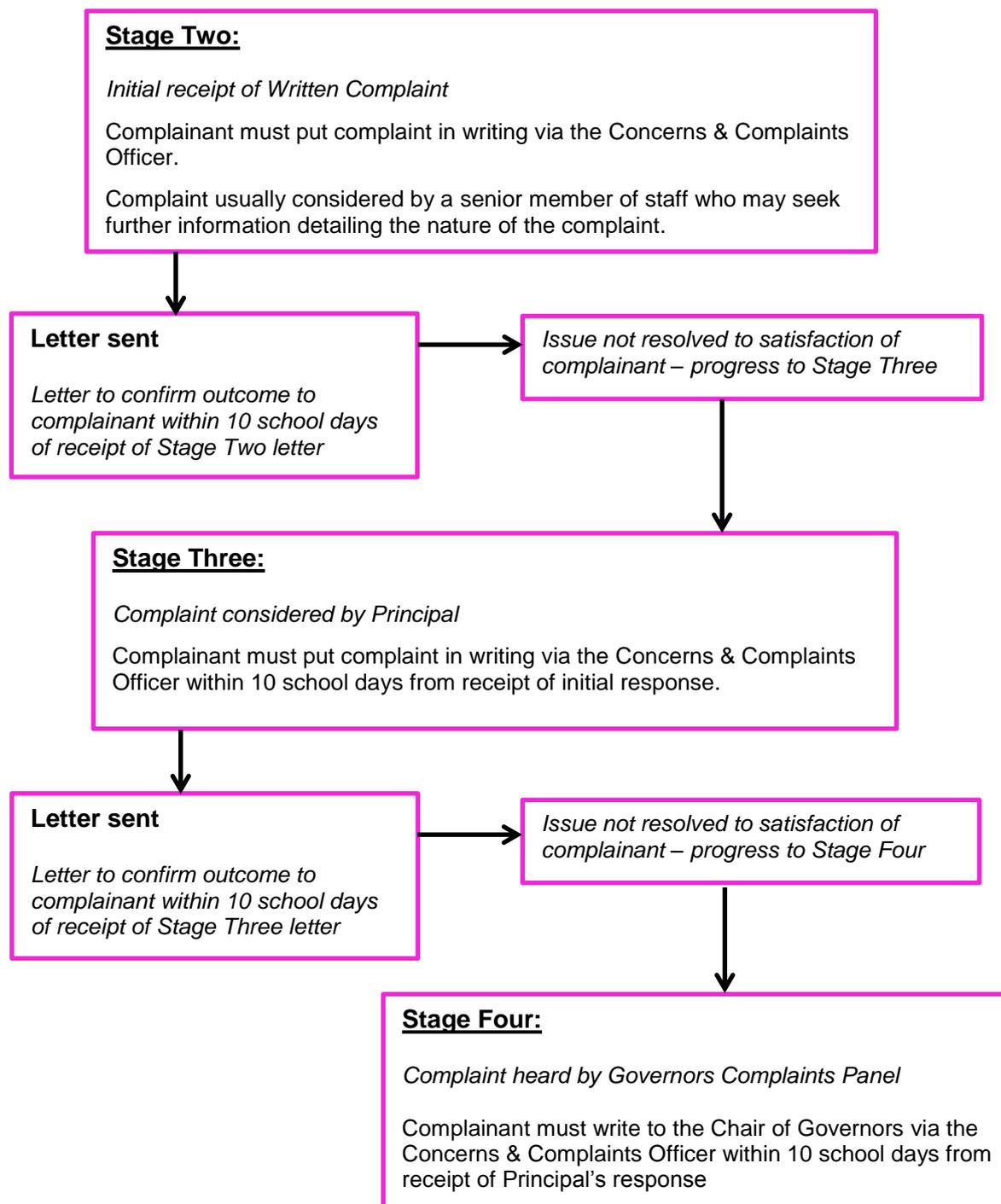
If agreement is not reached then the formal procedure can begin with a written complaint. **Please use Appendix A Complaint Form (attached).**

## Stages 2 - 4 Formal Complaints Procedure

The academy will pursue the resolution of all concerns informally and satisfactorily. On occasions where this cannot be achieved the complaints procedure can be invoked.

Please use **Appendix A Complaint Form (attached)**.

Stages for the formal Complaints Procedure are as follows:



All complaints are documented in a log held by the Concerns & Complaints Officer. A written confirmation of the discussions held and the resultant outcome will be made to the person expressing a complaint within 10 school days from completion of the relevant stage.

**Stage 2** of the Complaints procedure will usually be considered by a senior staff member, but it may be delegated to a more appropriate person if the circumstances warrant this.

**Please use Appendix A Complaint Form (attached).**

- The complaint must be in writing to the Concerns & Complaints Officer
- The complaint must be responded to within 10 school days following receipt of complaint
- If the complainant is satisfied, the matter will be deemed to be closed
- If the complainant is not satisfied, then a written account to explain why the complainant is not satisfied must be submitted within 10 school days of receipt and the complaint will escalate to Stage 3

A **Stage 3** complaint will usually be heard by the Principal or delegated to a more appropriate person if circumstances warrant this.

**Please use Appendix A Complaint Form (attached).**

- The complaint must be in writing to the Concerns & Complaints Officer
- The complaint will be responded to within 10 school days following receipt of complaint
- If the complainant is satisfied, the matter will be deemed to be closed
- If the complainant is not satisfied, then a written account to explain why the complainant is not satisfied must be submitted within 10 school days of receipt and the complaint will escalate to stage 4

The **Stage 4** complaint will be dealt with by the Chair of Governors or, if he/she directs, delegated to another more appropriate Governor to deal with if circumstances warrant this.

**Please use Appendix A Complaint Form (attached).**

- The complaint must be in writing and sent to the Chair of Governors, c/o Concerns & Complaints Officer, The Bushey Academy, London Road, Bushey, WD23 3AA
- The Chair (or delegated Governor) will organise a Panel of three members to hear the complaint, one of whom will be independent of the Governing Board and management of the academy. This is called the Governors' Complaints Panel
- The complainant may present the complaint in person to the Panel
- The complaint will be heard by the Panel within 20 school days of receipt of the complaint
- The complainant will be given two alternative dates for the hearing
- A third date will be offered in the event of the first two dates being unacceptable to the complainant. If this is still unacceptable a fourth date will be arranged and the complaint hearing will go ahead without the complainant present if they are unable to attend. However, the complainant will have the opportunity to send a personal representative or submit information in writing if they so wish
- The venue for the Governors' Complaints Panel will be a meeting room at the academy, unless an alternative venue is deemed more suitable
- The outcome of the Governors' Complaints Panel will be confirmed in writing within 10 school days of the hearing
- If the complainant is satisfied, the matter will be deemed to be closed  
If the complainant is not satisfied, then he/she will need to write to the Meller Educational Trust, Chair of the Board, The Bushey Academy, London Road, Bushey Watford, Herts WD23 3AA

### Concerns or complaints specifically about the Principal:

A decision that the Principal has made as a result of a Stage 3 complaint does not become a complaint about the Principal. If the complainant feels the complaint has not been resolved satisfactorily he/she should proceed to Stage 4, a Governors' Complaints Panel.

If the concern or complaint is specifically about the Principal and is not resolved at Stage 1, then it will be necessary for the complainant to proceed to Stage 4 and formally complain to the Chair of Governors, the complainant should write to him or her at the academy address, c/o the Concerns & Complaints Officer, marking the envelope 'Confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 10 school days of receipt and decide on what action should be taken. In the event that the Chair of Governors is not available within the stated time period the Concerns & Complaints Officer will seek further guidance.

### Unreasonable complainants and persistent complaints

Where a complainant tries to reopen the issue with the academy after the complaints procedure has been fully exhausted and the academy has done everything it reasonably can in response to the complaint, the Chair of Governors (or other appropriate person in the case of a complaint about the Chair) will inform the complainant the matter is closed.

If the complainant subsequently contacts the academy again about the same issue, the academy can choose not to respond. The normal circumstance in which we will not respond is if:

- The academy has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the academy's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The academy will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the academy with the intention of causing disruption or inconvenience, *and/or*
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, *and/or*
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the academy has decided that it is appropriate to stop responding, the complainant will be informed in writing, whether by letter or email.

The academy will ensure when making this decision that complainants making any new complaint are heard, and that the academy acts reasonably.

If a complainant's behaviour is a cause for concern, the Principal (or someone with designated power) may ask the individual to leave the premises. In serious cases, the individual may be barred from entering the academy site and premises.

### **Additional Notes**

The academy staff and Governors will always work with parents to try and secure a satisfactory outcome following a complaint. However, there may be occasions when the expertise within the academy is not able or sufficiently knowledgeable to deal with a specific complaint. In such rare cases the academy reserves the right to refer complaints to experts in chosen fields at any of the three stages in the process. Any such third parties may then respond to the complainant on the academy's behalf.

In circumstances where the nature and extent of a complaint are unusually complex, the academy also reserves the right to refer to amend timescales used in the complaints procedure to ensure that adequate time is made available to try and resolve the complaint satisfactorily.

Part of the Concerns & Complaints Officer's role is to assist the complainant in the process and the complainant should feel free to take advice, as appropriate, from the Concerns and Complaints Officer. There may be occasions when, if a conflict of interest arises, a suitable external person may be asked to assist the complainant.

Correspondence sent by post will be deemed to have been received the day after posting when sent by first class post or two days after posting when sent by second class post.

## The remit of the Governors' Complaints Panel

Whilst the Governors' Complaints Panel hearing is a formal process, and held in private, every effort will be made to allow the proceedings to be informal and constructive as possible, focusing on resolution of the complaint to everyone's satisfaction. All parties will be expected to act with respect, courtesy, understanding and tolerance, particularly if a child is in attendance.

The Chairperson of the Panel will direct the proceedings and may permit adjournments at any time to allow for reflection, private discussion or the comfort and wellbeing of attendees etc. The aim will be to resolve all matters at a single meeting.

All parties at the meeting will have access to the same documentation which, so far as is possible, will be distributed in good time before the meeting date. All parties will have the opportunity to state their case or position and to ask questions.

The Panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

The Concerns & Complaints Officer will remain the contact point for the complainant and will set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.

The Clerk to the Governors, or a suitable alternative person, will attend the Panel meeting and will record the proceedings.

## Policy review and history

This policy will be reviewed on a two yearly basis or sooner as required.

Version	Date	Changes	Approved
1	December 2014	Full Review	Access
2	March 2016	Updated following issue of Statutory Guidance – Stages reduced and new section 2.6	F&PC
3	May 2018	Full review and revision	F&PC
4	March 2019	Address change for the Meller Educational Trust	

## **APPENDIX A**

For a **Stage 2** or **Stage 3** complaint, please complete and return to: Concerns & Complaints Officer, The Bushey Academy, London Road, Bushey, WD23 3AA, who will acknowledge receipt and explain what action will be taken.

For a **Stage 4** complaint, please complete and return to: Chair of the Governing Body, c/o Concerns & Complaints Officer, The Bushey Academy, London Road, Bushey, WD23 3AA, who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Student's name:**

**Your relationship to the student:**

**Address:**

**Telephone Number(s):**

**Details of the complaint**

**What action, if any, have you already taken to try and resolve your complaint?**

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

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

**Signature:**

**Date:**

<b>For Office Use Only</b>	
<b>Date Complaint Received:</b>	
<b>Logged By:</b>	
<b>Stage:</b>	