

# Complaints Policy

NOVEMBER 2020



## 1. Rationale and Aim

Gravenhurst Academy take all comments seriously.

The aim of this document is to set out how any complaint from any parent, carer, the general public or pupil is dealt with, and to ensure that it is handled in the most appropriate, and efficient, manner by the Academy.

This procedure has been adapted from the recommendations made by the UK government on [www.education.gov.uk](http://www.education.gov.uk), complies with section 29 of the Education Act 2002 and is endorsed by the BEST Board of Directors. This document may be reviewed as deemed appropriate or as required by Law or Regulation.

## 2. Introduction

There are two distinct types of complaint under this document:

a. Informal 'Concern', which is an informal complaints procedure to allow concerns to be expressed quickly and in complete confidence to a member of Academy Staff. The process is kept informal with the aim of resolving the complaint as quickly as possible.

b. The Formal Complaints Procedure

All complaints, no matter what their nature, whether formal or informal will be treated in the strictest confidence.

Concerns raised in the media (including social media) will not be taken into account. BEST or Gravenhurst Academy will only respond to complaints raised in accordance with this document.

No form of physical or verbal abuse towards staff will be tolerated and if there is any danger of any, the police will be notified immediately and you may be removed and banned from the site. You may also face criminal prosecution if any damage is caused by you.

## 3. Timings

In all cases, once a Concern or Formal Complaint is received, an acknowledgement will be sent within two working days.

Depending upon the type of complaint, you will receive a response within 10 to 15 working days. However, in some cases which are complex or where more time is required, we will contact you and let you know. We will also give you a reasonable estimate of when you will hear from us with a resolution or decision.

For the purposes of this document, a 'working day' is a day when the Academy is open for teaching pupils in formal lessons from Monday to Friday and excludes Saturdays, Sundays, and any school holidays and bank holidays.

## 4. Procedure

If you have a Concern to raise you should follow the procedure below.

Informal Procedure

### Stage 1

In the first instance, any Concern should be raised with the class teacher or appropriate staff member. However, in the circumstances listed below, a formal letter should be immediately sent to the Principal.

- If the Concern is about the actions of a member of staff and it would be difficult for you to discuss the issue with that member of staff (at this stage it may be deemed necessary to revert to internal disciplinary procedures to investigate the matter rather than follow the complaints procedure outlined below); or
- If the Concern places the health, well-being or safety of pupils at risk.

If the Concern relates to the Principal of the Academy, the Concern should be raised with the Chief Executive Officer of BEST (CEO, BEST, c/o Samuel Whitbread Academy, Clifton Road, Shefford, Beds, SG17 5QS).

### Stage 2

If you feel that your Concern has not been resolved to your satisfaction under stage 1 of the informal procedure, you should contact the Principal

Formal Procedure

### Stage 1

If you feel that the Concern raised under the informal procedure above has not been resolved to your reasonable satisfaction, you should contact the Principal. This should be submitted in writing on the Complaints Form (Appendix C). You will receive an acknowledgement within two working days.

If the Principal deems it necessary, she will discuss the complaint with the Leadership Team and a named person will be appointed to investigate the matter. The named person will:

- carry out an investigation in a timely manner;
- only interview children when the nature of the complaint is sufficiently serious to warrant it; and
- maintain accurate notes of the investigation.

### Stage 2

If you are not satisfied with the outcome under Stage 1 or you feel that the Complaint remains unresolved, you should write a letter to the Chair of the Local Governing Body and request that your complaint is considered further. The Chair of Governors will respond within 15 working days.

### Stage 3

If the complaint remains unresolved, after Stage 2, you should write to the Board of Directors, and the Chair of the Local Governing Body requesting that the complaint is referred to a Complaints Appeal Panel (see Appendix B which contains the detailed procedure for the Appeal Panel).

#### Complaining to the Secretary of State

If you believe that the Complaints Appeal Panel has acted unreasonably or illegally a complaint should be made in writing to the Secretary of State for Education.

Any Complaints relating to the BEST Board of Directors and not the academies governed by BEST, should be directed to the Regional Schools Commissioner ([rsc.scnwlon@education.gsi.gov.uk](mailto:rsc.scnwlon@education.gsi.gov.uk)).

#### Vexatious complaints

**BEST, the Board of Directors and the Local Academy Governors take all complaints raised to them very seriously but, when all stages of this Complaints Process have been followed and you still remain unsatisfied despite our reasonable endeavours to resolve the complaint and you re-open the same issue, then BEST or the Academy may determine that your correspondence is of a vexatious nature and no further correspondence will be entered into.**

**BEST will not accept any form of continued harassment of their Staff, Local Academy Governors or Directors, and will also view this as vexatious in nature, and no further correspondence will be entered into.**

**You are still entitled to appeal to the Secretary of State.**

### **5. Monitoring and Evaluation**

All Complaints are recorded by each Academy. Trends are analysed and appropriate action taken by the senior staff within the Academy. Complaints analysis/trends are submitted to the Local Governing Body once a term.

In accordance with the Data Protection Act 1998, the academies will keep any personal information relating to a complaint in a secure manner for a period of 6 years.

### **6. Implementation and Review**

This policy will be made known to all staff, parents/carers and governors, and published on the Academy websites. Copies are also available upon request from the Academy office. This policy will be reviewed annually or as required.

### **7. Author and Date**

Debbie Randall  
November 2020

### **8. Appendices**

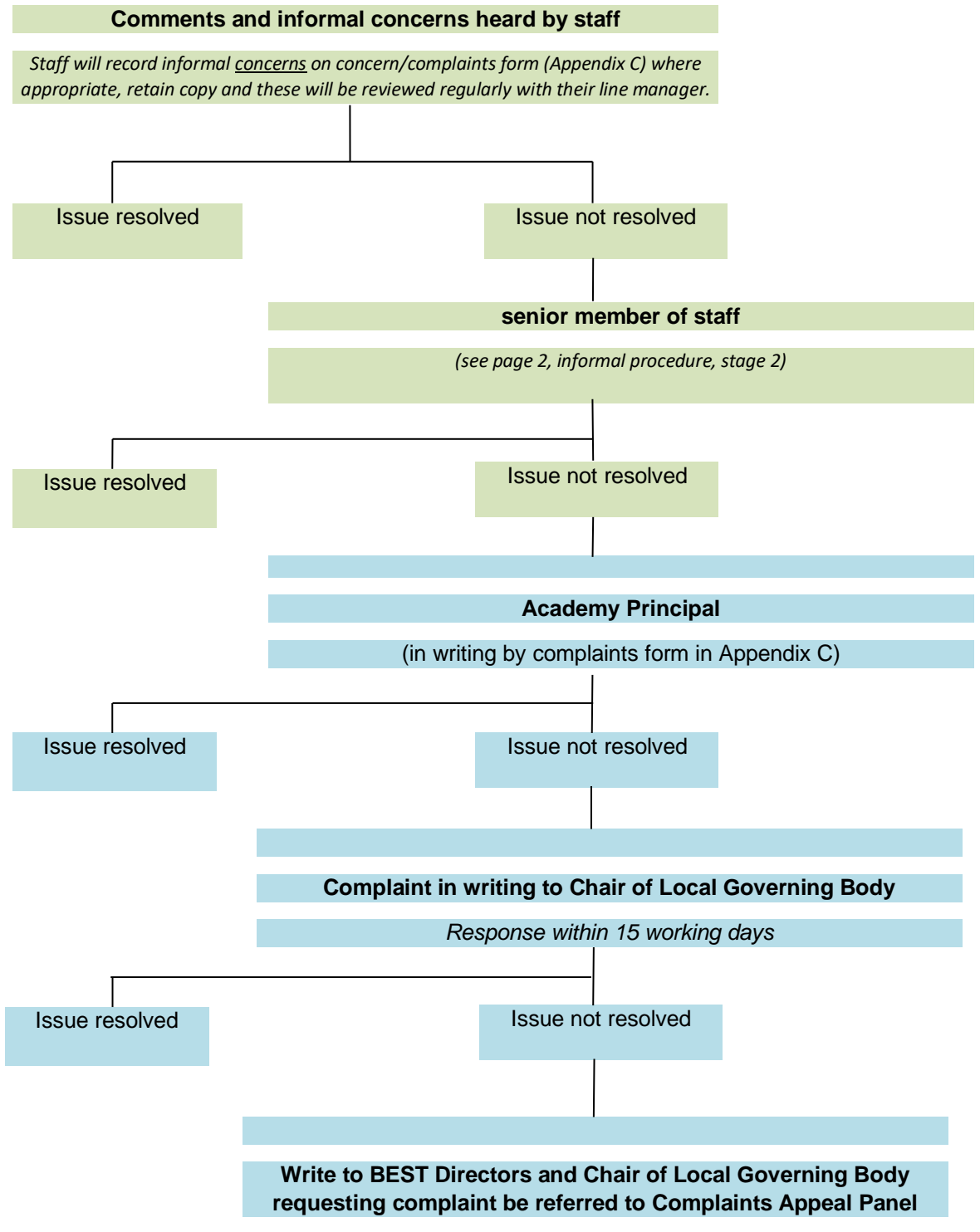
Appendix A – Complaints Procedure Flow Chart

Appendix B – Process for Complaints Appeal Panel

Appendix C – Complaints Form

# Appendix A – Complaints Procedure Flow Chart

KEY	
	Informal Stage
	Formal Stage



## **Appendix B – Process for Complaints Appeal Panel**

The last stage of the Complaints Process is when an appeal is made to the Chair of the Board of Bedfordshire East Schools Trust [BEST]. The chair will nominate a number of Directors to form an appeals panel with delegated powers to hear the complaint at this stage. The remit of the panel is as follows:

- 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 BEST's procedures to ensure that problems of a similar nature do not recur

It is important that the appeal hearing is independent and impartial therefore no Local Academy Governor of the Academy involved may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it and at least one panel member will be independent of the management/running of BEST.

The aim of the hearing, which remains private, will always be to resolve the complaint and achieve reconciliation between you and the Academy.

### Roles and responsibilities of panel

#### The role of the Clerk

Once the complaint has been referred to a BEST Complaints Appeal Panel, the Clerk will act as the contact point for all parties. The Clerk will set the date, time and venue of the hearing, collate any written material and circulate this to all parties in advance of the hearing, record the proceedings and notify all parties of the panel's decision.

#### The role of the Chair of the Panel

The Chair of the panel will ensure that:

- The remit of the panel is explained to all parties and each party has the opportunity to put their case forward without undue interruption
- The issues are addressed
- Key findings of fact are made
- Parents/carers and others who may not be used to speaking at such a hearing are put at ease (parents/carers may be accompanied at the hearing if they wish and should inform the Clerk of who will be present)
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties – if a new issue arises it would be useful to give all parties the opportunity to consider and comment on it

### Checklist for a Panel Hearing

The panel need to take the following points into account:

- The hearing is as informal as possible.
- Third party witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, you will be invited to explain your complaint, and be followed by your witnesses.
- The Principal may question both you and your witnesses after each has spoken.
- The Principal will then be invited to explain the Academy's actions and be followed by the Academy's witnesses.
- You may question both the Principal and the witnesses after each has spoken.
- The panel may ask questions at any point.
- You will then be invited to sum up your complaint.
- The Principal will then invited to sum up the Academy's actions and response to the complaint.
- The Chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

### Notification of the panel's decision

The Chair of the Panel needs to ensure that you are notified of the panel's decision, in writing, with the panel's response within 5 school days of the hearing. This letter would explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

## Appendix C – Concern / Complaint Form

Please complete and return to Gravenhurst Academy

*Please tick appropriate box:*

- Informal Concern**
- Formal Complaint (the Informal Procedure within the Complaints Policy should have been followed before a Formal Complaint is lodged unless:**

- the Concern is about the actions of a member of staff
- the Concern places the health, well-being or safety of pupils at risk

Formal Complaints should be submitted in writing on this form. Please note that all formal complaints will be given directly to the Principal of the Academy.

**Complainant's name:**

**Pupil/Student's name:**

**Relationship to the pupil/student:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of concern / complaint.**

**What action, if any, has already been taken to try and resolve this matter (who has been spoken to and what were the response(s)?)**

**What would complainant like to see happen now to resolve the complaint?**