

# Complaints Policy



Approved: 6 July 2017

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Responsible Officer: Chief Operating Officer

## Vision and Ethos



The vision statement of the Trust demonstrates its Christian ethos and faith foundation.

The Trust believes in the transformational power of education for each individual and that this is enhanced through collaborative working between the academies.

### **We believe:**

- that a Christian ethos underpins and informs all that we do
- that the focus of the Trust is to promote collaboration between schools within a strategic locality in order to secure mutual improvement
- that through managed collaboration between academies there will be increased and improved opportunities for the development of all staff, students/children, parents and community
- in the development of a broad and balanced curriculum that supports young people's personal development and preparation for life
- that the family of academies within the Trust, working together, will secure continuity and progression for all
- that there should be high expectation for all children/students and young people whatever their circumstances or starting point and addressing disadvantage
- that, through its structures and work, the Trust can create and support effective Governance for all members
- that, through the Trust's work across its academies, expertise and capacity will be developed so that they can be supported with their development needs and economies of scale achieved

# Contents

Para	
1	Policy Statement
2	Scope
3	Principles
4	Dealing with Complaints
5	Stage 1: Informal procedure
6	Stage 2: Decision by the Academy Principal/Chief Executive Officer
7	Stage 3: Appeal Hearing
8	Appeal Hearing
9	Record keeping
10	Monitoring, Evaluation and Review

Where the word 'Trust' is used in this document it refers to Archway Learning Trust.

Where the word 'Governing Body' is used it refers to the Local Governing Body of an individual academy within the Trust.

Where appropriate the Governing Bodies of individual academies will publish details of the procedures and practices to implement Trust policies.

## Related Policies and Procedures

## **1. Policy Statement**

- 1.1. Archway Learning Trust is committed to ensuring that all students are provided with an outstanding educational experience and that each academy works in a productive and positive partnership with all parents and carers.
- 1.2. If a parent/carer feels that a situation has arisen that they are unhappy about then they have a right to make a complaint. All complaints will be taken seriously and dealt with swiftly and professionally.
- 1.3. The relevant Academy will try to resolve problems informally wherever possible. Where this is not achieved there are formal procedures described below.

## **2. Scope of Policy**

- 2.1. This complaints policy deals with most complaints. There are separate policies to deal with staff grievances including allegations of harassment and with parental complaints about admissions and exclusions.
- 2.2. Complainants must be aware that there is a complaints policy and copies of this policy are available on the Trust and each academy's website.

## **3. Principles**

- 3.1. Informal queries and complaints should be addressed to the relevant member of staff. Formal complaints should be addressed to the respective Principal of the relevant Academy or Chief Executive Officer where the complaint relates to a Trust wide matter.
- 3.2. All complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled.
- 3.3. All complaints will be investigated fully, fairly and carefully and complainants will be informed of progress during, as well as at the end of each stage.
- 3.4. The principal aim will be to secure the resolution of the complaint to the satisfaction of satisfaction of all parties. Where this is not possible a decision will be made either to provide an outcome to the complaint or to refer the complaint to the next stage.
- 3.5. At the meeting to discuss a formal complaint the complainant may be accompanied by a friend or colleague. This should be on the firm understanding that the complainant is being accompanied and not represented. The friend or colleague may ask questions, confer with the complainant and make summary statements but may not answer questions on the behalf of the complainant.
- 3.6. All complaints received by the Academy Principal or Chief Executive Officer, including those ultimately resolved at an informal stage, will be recorded, together with the outcome and reasons for the outcome. The complaint will be informed promptly of the outcome and their entitlement to appeal the outcome by reference to the next stage. Possible outcomes include:
  - complaint withdrawn

- complaint dismissed
- complaint dealt with under another policy
- complaint upheld.

3.7. Where the complaint is upheld, the action to be taken in response will also be recorded.

#### **4. Dealing with Complaints**

4.1. At each stage, the person investigating the complaint will ensure that they:

- clarify the nature of the complaint;
- 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;
- keep appropriate notes of any interviews held.

4.2. Archway Learning Trust defines unreasonable complainants as those who, because of the frequency or nature of their contacts with the Trust or any Academy within the Trust, hinder our consideration of their or other people's complaints. A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints policy
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints policy;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists that they are fully answered, often immediately or to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the Trust's complaint policy has been fully and properly implemented and completed including referral to the DFE;
- seeks an unrealistic outcome;
- makes excessive demands on the Trust or any Academy within the Trust by frequent, lengthy, complicated and stressful contact with staff regarding the complaint.

#### **5. Stage 1: Informal procedure**

5.1. The Academy Principal or Chief Executive Officer will normally direct the complainant to the most appropriate member of staff to deal with it. If the complaint indicates that they would have difficulty discussing the complaint with this member of staff, the Academy Principal Chief Executive Officer may direct the complainant to another member of staff. Similarly, if

the most appropriate member of staff feels that they would have difficulty in dealing with the complaint objectively, the Academy Principal Chief Executive Officer may direct the complainant to another member of staff.

- 5.2. The member of staff to whom the complainant is referred will carry out an investigation and decide on the outcome. The complainant and the Academy Principal/ Chief Executive Officer will be informed of the decision and any further action that will be taken in consequence.
- 5.3. In certain circumstances, The Academy Principal/ Chief Executive Officer may choose to deal with the complaint informally in person.
- 5.4. If the complaint has been made in writing, the Academy Principal/ Chief Executive Officer may choose to move directly to Stage 2 of the procedure, thereby omitting Stage 1.
- 5.5. If the complainant remains dissatisfied with the outcome of this informal stage, they should inform the Academy Principal/ Chief Executive Officer in writing, including details of their complaint. The Academy Principal/ Chief Executive Officer will then invoke Stage 2 of the procedure.

## **6. Stage 2: Decision by the Academy Principal/ Chief Executive Officer**

- 6.1. All formal complaints will be acknowledged in writing by the Academy Principal/Chief Executive Officer within five working days of receipt.
- 6.2. Where the complaint concerns the Chief Executive Officer, the Chief Executive Officer will inform the complainant in writing that they should direct their complaint to the Chair of the Trust Board.
- 6.3. Where a complaint is made to the Chair of the Trust Board, he or she will refer the complainant to the Chief Executive Officer unless a complaint concerns the Chief Executive Officer
- 6.4. The Academy Principal/Chief Executive Officer will ensure the complaint is investigated fully. The Academy Principal/Chief Executive Officer may delegate responsibility for conducting the investigation to another member of staff.
- 6.5. The Academy Principal/Chief Executive Officer will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the satisfaction of the complainant.
- 6.6. The Academy Principal/Chief Executive Officer will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal the decision if they remain dissatisfied.

## **7. Stage 3: Appeal Hearing**

- 7.1. If the complainant remains dissatisfied, they should write to the Chair of the Local Governing Body of the relevant Academy giving details of the complaint (or the Chair of the Trust Board if the complaint is relevant to the operation of the Trust).
- 7.2. The Chair may be able to resolve the complaint informally at this stage, with the result that the complainant withdraws their appeal.

- 7.3. If this is not possible, the Chair of the Local Governing Body will inform the Chair of the Trust Board who will convene an appeal hearing by an Appeals Committee, which should not include the Chair of the Local Governing Body who dealt with the complaint.

## **8. Appeal Hearing**

- 8.1. The Appeals Committee will be set up by Archway Learning Trust and will comprise three Trustees or Governors from the Trust Board or any Local Governing Body within the Trust to hear the appeal. No Trustee or Governor may hear the appeal if he or she has had any direct involvement in the matters detailed in the complaint.

- 8.2. The Chair of the hearing will decide the procedure to be followed, ensuring that:

- the remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- members of the Committee are objective and open minded, and act independently;
- the hearing is conducted in an informal though clearly structured manner with each party treating the other with respect and courtesy;
- each side is given the opportunity to state their case and to ask questions;
- any written materials is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it.

- 8.3. The hearing should generally proceed as follows:

- Introductions and introductory comments from the Chair.
- The complainant explains the complaint, followed by questions.
- The person conducting the investigation at Stage 2 explains the outcomes at Stage 1 if applicable and Stage 2, followed by questions.
- The complainant sums up.
- The person conducting the investigation at Stage 2 sums up.
- With the exception of the Committee members and any independent adviser they may have, all persons withdraw while the Committee reviews the evidence and decides the outcome.
- The complainant and the person conducting the investigation at Stage 2 are informed of the decision.

## **9. Record Keeping**

- 9.1. It is important that accurate and contemporaneous records are kept throughout the process, including any initial informal process.

- 9.2. Records should be held in a secure and confidential manner in accordance with the Data Protection Act 1998, except where the Secretary of State or a body conducting an inspection under Section 162A of the Education Act 2002 requests access to them.

## **10. Monitoring, Evaluation and Review**

- 10.1. The Trust Board will review this policy every two years (or earlier if deemed necessary) and assess its implementation and effectiveness. The policy will be promoted and implemented at each Academy within the Trust.