



PARK HALL
ACADEMY

MULTI ACADEMY TRUST

Name of Policy	Complaints Policy & Procedures	
Lead	Mr S Gregory	
Governor Committee	BSII Committee	
Policy Status	Developed	January 2004
	Governor Approved	5 June 2018
Review Frequency	1 year	
Next Review	June 2019	
This version No.	5	

Introduction:

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Park Hall Academy is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the Academy's formal complaints procedure. For the Academy to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated. The prime aim of Park Hall Academy's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the Academy.

The following details outline the stages that can be used to resolve complaints. Park Hall Academy's Policy has four main stages. In summary they are as follows: -

Stage 1 – A concern is raised informally with a staff member.

Stage 2 – Formal complaint is heard by a member of the Academy's Leadership Team or an appropriate member of staff.

Stage 3 – Complaint is heard by Headteacher

Stage 4 – Complaint is heard by Governing Body's Complaints Appeal Panel.

Stage 1 – Raising a concern

Concerns can be raised with the Academy at any time and will often generate an immediate response, which will resolve the concern. The Academy requests that parents/carers make their first contact to their son or daughter's Head of Year. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the Academy within 10 Academy working days and state what you would like the Academy to do. The Academy will then look at your complaint at the next stage.

Stage 2 – Formal complaint is heard by a member of the Academy's Leadership Team or an appropriate member of staff.

Formal complaints shall be put in writing and addressed to the Headteacher of the Academy. The complaint will be logged, including the date it was received. The Academy will normally acknowledge receipt of the complaint within 2 Academy working days of receiving it. In many cases this response will also report on the action the Academy has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 Academy working days. The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result at stage 2 please write to or call the Academy within 10 Academy working days of getting our response. You will need to tell the Academy why you are not satisfied and what you would like the Academy to do.

Stage 3 – Complaint heard by the Headteacher

If the matter has not been resolved at Stage 2, the Headteacher will arrange for a further investigation. Following the investigation, the Headteacher will normally give a written response within 10 Academy working days.

If you are dissatisfied with the result at stage 3, you will need to let the Academy know within 10 Academy working days of getting the response.

Stage 4 – Complaint heard by the Governing Body’s Complaints Appeal Panel

If the matter has still not been resolved at Stage 3, then you will need to write to the Chair of Governors giving details of the complaint. The Chair or a nominated Governor will convene a complaints panel. The hearing will normally take place within 10 Academy working days of the receipt of the written request for Stage 4 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the Academy and the complainant. All parties will be notified of the Panel’s decision in writing within three Academy working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

* N.B. In cases where the matter concerns the conduct of the Headteacher, the Headteacher and Chair of Governors will be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

The Governors’ Appeal Hearing is the last Academy -based stage of the complaints process. For further advice and guidance about the Academy’s Complaints Procedure please contact the Headteacher’s Personal Assistant on 0121 748 0401.

From 1 August 2012 complaints about schools not resolved by the school should be addressed to the Secretary of State for Education, Department for Education, Sanctuary Buildings Great Smith Street, London, SW1P 3BT

Handling Complaints Guidance

INTRODUCTION

Since 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England were required, under Section 29 of the Education Act 2002, summarised in Annex A, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised. Any suggestion of a possible complaint should be given serious consideration. If a matter is allowed to drift the original complaint may either be lost or the complaint may develop into a complaint about how the original complaint was mishandled. It is essential to keep to the absolute minimum, the number of governors with knowledge of a complaint. Problems may arise in assembling a panel of governors to hear a complaint if they have been involved in discussions about a particular case.

GUIDING PRINCIPLES

- Complaints are few and far between in those schools where parents are welcomed and are treated as equal partners in the education of their child.
- There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Governing Body is

able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

- Complaints dealt with immediately do not develop into big issues. This may involve “finding” time to deal with a complaint should one arise.
- Informal resolution is preferable.
- We live in an age where people are encouraged to question and schools need to be prepared to account for their actions.
- Know the parents of your pupils. This will ensure you are aware of the most appropriate setting in which to meet with them to hear their complaint.
- Give a date and time when you will contact the family with a response.
- The version of events conveyed to the parent by the child may be very “real” to them.
- Ask yourself the question - “What is the parent looking for in all of this?”
- Have a system in place to handle complaints and ensure that staff and governors are aware as to how it operates.
- If a young person wants to make a complaint they may need someone to help them. It is advisable to tell a young person that they can ask an advocate. This could be a parent, relative, friend or a trained advocate.

POSSIBLE SOURCES OF COMPLAINT

The following are the main areas from which complaints may arise. If there is a breakdown of relationship between adults, children or educators, however temporary, the **attitudes** of one person to another may be affected.

- Concerns about the **behaviour** of a child.
- An incident of alleged **bullying**.
- Alleged **failure** on the part of someone in the school to undertake a promised action.
- Lack of **communication**.
- Alleged failure to deliver the **curriculum**.
- The way in which the school organises **teaching groups or classes or events**.
- The provision of **school meals**.
- Implementation of school **policies**.

WHAT IS NOT COVERED BY A SCHOOL'S COMPLAINTS PROCEDURE?

- **Exclusions** from the Academy. Separate arrangements exist in schools for considering representations.
- **Special Educational Needs**. Separate arrangements exist that are external to the Academy.
- **Admissions** to the Academy. These are handled by the LA.
- **SACRE** - Standing Advisory Committee for Religious Education. This is external to the Academy.
- Alleged **misconduct** of staff. This is dealt with at the Academy level, but under the Personnel Procedures.

You can [complain](#) to the Education Funding Agency (EFA) if:

- there's a problem with the school's complaints procedure
- the school is not following the terms of its funding agreement

Other types of complaints

For some types of complaints you may need to contact a different agency.

Complaint	Who to contact
Child Protection	Local Council
Criminal Behaviour	Police
Data Protection	Information Commissioner's Office
Discrimination	Equality Advisory and Support Service
Employment	An employment tribunal
Exam Malpractice or Maladministration	Ofqual and the awarding body
Quality of Education or Leadership	Ofsted

Contact details and weblinks can be found at: <https://www.gov.uk/complain-about-school>

GOOD PRACTICE

The Academy has a Complaints Procedure and timeline in place that is subject to regular review.

Parents and carers are made aware of the Complaints Procedure via the Academy Prospectus, the Academy website and in the Academy itself.

Complainants need to be made aware of the Data Protection Act and that in order to investigate their complaint information may need to be shared with all parties involved. The Governing Body needs to agree annually the membership of a Panel from which to draw governors should it be necessary to consider a complaint.

Individuals within the Academy need to document as soon as possible any situations that may give rise to a complaint. Retain any evidence and detail the names of any witnesses.

Staff should make a written record of any complaint made by a parent or carer and read it back to them to ensure its accuracy. A date will be given for a response which is in-line with the Complaints Procedure timeline.

An internal policy for the logging of complaints or potential complaints resides with the Headteacher. The Headteacher decides who will be responsible for responding and who needs to know.

The Governing Body needs to be informed on a termly basis of the number of complaints received and the level at which they were resolved.

A non-judgemental attitude upon receiving the complaint and handling any subsequent investigation will influence the resolution.

Ensure the parent is aware of the steps that will be taken to investigate the complaint and give a clear time scale for getting back to them.

Audit any complaints received with a view to identifying a particular cause and hence a possible remedy.

Complaints need to be considered, and resolved, as quickly and efficiently as possible, however where further investigations are necessary, new time limits can be set, early communication with parents is essential