

St. Paul's Academy

Complaints Procedure

Introduction

This complaints procedure is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.

The following types of complaints are dealt with through special arrangements under the Education Acts.

- Admission to the Academy
- Exclusion from the Academy
- Academy reorganisation proposals
- Special Education provision
- Religious Education and collective worship
- Curriculum issues

Principles

- The procedures shall be easily accessible so that parents/carers know how to raise concerns.
- A parents/carers leaflet relating to Complaints Procedures shall be given to all parents/carers when their child joins the Academy. The document shall be available in the first language of the parent/carer. Additional opportunities to publicise the Procedures shall be exploited whenever appropriate and include the website, posters and bulletins/letters.
- An impartial member of staff/governor shall be nominated to investigate complaints.
- When necessary, and in the interests of ensuring a full and fair investigation, an independent person may be called upon to examine the complaint.
- Investigations/procedures shall be carried out as quickly as possible, consistent with fairness to all concerned and all involved shall be regularly informed of the progress of the complaint. Time limits for action shall be established to underline the need for haste.
- All complaints shall be recorded and monitored.
- Conversations and correspondence shall be dealt with confidentially; however, the parties to a complaint shall receive guidance that some of the information may have to be shared with others in order to complete a thorough investigation.
- Should a parent/carers complaint have the potential to be a disciplinary issue, the Chair of Governors shall be informed.
- Should the investigation of a complaint show that it is justified, the Academy shall consider how to make appropriate amends.
- The resolution of a complaint provides the potential opportunity for the Academy to improve its practice and develop further a strong partnership with parents/carers.

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- Complaints about racism will be dealt with as described in the St Paul's Academy's Anti-Racist Policy.

Procedure

The complaints procedure has three stages: -

Stage 1: Initial approach

Stage 2: Formal Complaint

Stage 3: Appeal to Panel of Governors

Stage 1- INITIAL APPROACH

The vast majority of concerns and complaints can be resolved informally, often straightaway by the teacher concerned, the designated Complaints Co-ordinator or the Principal.

St Paul's Academy aims to ensure that parents/carers feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate or helpful for someone to accompany or act on behalf of a parent/carer.

Parents/carers may not, at first, be clear that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary discussion with members of the Academy's staff will usually clarify the issue and help parents/carers to decide whether they wish to take the matter further.

PROCEDURE

1. Parents/carers should have an opportunity for informal discussion of their concerns with an appropriate member of staff. An appointment will be made for parents/carers to meet with the member of staff. This discussion should aim to clarify the nature of the parent/carer's concern and assure them that the Academy wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent/carer is seeking.
2. If the member of staff first contacted cannot deal with the matter immediately, s/he should make a firm arrangement to deal with it at a future date or refer the matter to another appropriate member of staff or the Principal. A note of the name, date and contact details of the complaint should be taken. The first contact should check to make sure the referral has been successful.
3. Staff have clear guidelines about when to refer a matter and to whom

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4. If the complaint relates to the Principal and the parent/carer feels unable to raise it with him/her the matter should be heard by the Chair of Governors.
5. The staff member/Principal dealing with the complaint will make sure that the complainant is clear about what will happen next (if anything). This should be put in writing if it seems the best way of making the next steps or outcome clear.
6. If no satisfactory solution has been found, the complainant(s) should be informed about how they should proceed if they wish to take their complaint further. They should be informed of any advice and support that may be available.

Stage 2 – FORMAL COMPLAINT TO PRINCIPAL OR CHAIR OF GOVERNORS

- The Principal has the responsibility for responding to a formal complaint.
- If the complainant is dissatisfied with the action of the Principal, or the Principal has been very closely involved informally, the Chair of Governors should carry out all the Stage Two procedures with support, if necessary, from another governor. At this stage the Chair of Governors, at his/her discretion, may choose to inform the Governors of the progress of a complaint.
- Individuals on the governing body should not become involved at this stage to avoid prejudicing their possible future involvement.

PROCEDURE

1. Parents/carers who wish to pursue a formal complaint at Stage Two should be asked to put the complaint and their desired outcome in writing to the Chair of Governors' or Principal. The Chair of Governors or Principal should acknowledge the complaint orally or in writing within three days of receipt giving a brief explanation of the complaints procedures and a target date for providing a response, ideally, within ten days. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.
2. The Chair of Governors or Principal may offer an opportunity for the complainant to meet him/her. A friend or relative who can speak on his/her behalf may accompany the complainant. Interpreting facilities will, if possible, be made available should they be required.

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3. If necessary, the Chair of Governors or Principal will interview any witnesses and statements will be taken from those involved. If the complaint centres on a student, the student will also be interviewed, normally with a parent/carer present. In some circumstances this may not be possible or appropriate and a senior member of staff with whom the student feels comfortable should attend with him/her. If a member of staff is complained against, the needs of that person should be considered.
4. The Chair of Governors or Principal should with the assistance of the Clerk keep written records of meetings, telephone conversations and other documentation.
5. Once all the relevant facts have been established, the Chair of Governors or Principal will either write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting will be followed up with a letter summarising the outcome of the meeting. The complainant should be advised in this letter that if they remain unhappy with the outcome, s/he might appeal to a panel of governors. The complainant should notify the Chair of Governors within two weeks of receiving the letter detailing the outcome of the complaint if he/she wishes to appeal.

Stage 3 – APPEAL TO PANEL OF GOVERNORS

- Complaints only rarely reach the appeal stage.
- The aim of the appeal to a panel of governors is to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action, and to satisfy the complainant that their complaint has been taken seriously.
- The panel shall be sensitive to the anxiety and nervousness that many complainants might experience. The proceedings shall, therefore be conducted in as informal an atmosphere as is possible and every effort shall be made to ensure that the intimidating effect of excessive formality is minimised. Attention shall be paid to the layout of the room to create this informal, rather than adversarial, climate.
- The full governing body should not consider individual complaints. The governing body will set up a panel to deal with complaints, by nominating a pool of five governors, who shall not have been involved in any part of the complaint, from which three can be drawn for any hearing. The independence of the panel is vital to ensure that the complainant has a fair and just review of their appeal.
- Panel members should have had no prior involvement with the complaint. Generally, the Chair of Governors is not on the panel as s/he may be involved at an earlier stage.

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- Individual governors should not allow themselves to become involved in looking into complaints before this stage. This avoids prejudicing their potential involvement. If parents/carers or others approach individual governors with complaints, they should refer the complainant to the Academy's complaints procedure, making the necessary introduction to a member of staff or Principal if appropriate.
- When students are the complainants it is essential that they are treated with due respect and regard. Intimidation and threatening approaches must be avoided and every effort must be made to ensure that the young person feels as comfortable as possible. Parents/carers should be encouraged to decide if their child needs to appear before the panel.
- Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response so far. In this situation it is perhaps helpful for the governing body to view any complaint as being against the Academy rather than an individual staff member whose actions may have led to the original complaint.
- All panel members should be aware of the complaints procedure.

PROCEDURE

Receipt of a written request from the complainant is sufficient for the complaint to proceed to Stage Three; the following procedure should be followed. The Clerk to the Governors will be the clerk for the appeal.

1. The clerk will write acknowledging receipt of the written request, informing the complainant that a committee of the governing body will hear it within 15 working days of receipt.
2. The clerk will convene a meeting of the complaints committee at a time, which is convenient for the complainant and the Academy.
3. The clerk will ensure that the complainant, the Principal and any witnesses are given at least five working days notice in writing of the date, time and place of hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant should also inform him/her of their right to be accompanied by a friend /relative who can act as an advocate. The chair of the committee should ensure that interpretation facilities for the hearing are offered and made available if required. The letter will set out the procedure for the conduct of the hearing (see Annex A) and the complainant's right to submit further written evidence to the committee.

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4. The clerk will invite the Principal to attend the hearing and to submit a written report for the committee in response to the complainant. The Principal may also invite the Chair of Governors or any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff will be at the discretion of the chair of the committee.
5. All relevant documents must be in possession of all parties, (including the complainant) at least five days before the meeting of the panel, to provide adequate opportunity to read them prior to the start of the meeting.
6. A legal adviser may be invited, at the discretion of the Chair of Governors, to attend the meeting to advise the committee.
7. The panel will elect a chairperson who should ensure that the Clerk, who will be in attendance, takes proper minutes of the meeting.
8. The chair of the panel should ensure that the proceedings are as informal as possible and that the complainant and other participants feel at ease. S/he shall explain the remit of the panel and that they shall be able to put their case without undue interruption. S/he shall ensure that the issues are addressed, that key findings and facts are made and that the panel is open minded and acting independently.
9. The chair shall ensure that all parties have the opportunity to make their representations and to ask questions. All parties shall see all written material and if any additional issues arise the parties are allowed the opportunity to consider and comment on it/them. The chair should explain that the panel would consider the issues and write to both the complainant and the Academy.
10. All except the governors' panel and any advisers should then withdraw and the panel should consider the evidence. This should include: a judgement about the validity of the complaint (either uphold it or dismiss it); appropriate action to be taken by the Academy and/or the parent/carer to resolve the complaint; and where appropriate, recommend changes in the Academy's systems or procedures to ensure similar problems do not arise in the future.
11. A copy of all correspondence and notes will be kept confidentially on file in the Academy, separate from student's personal records.
12. The broad outcomes recommended by the panel will be reported to the next full governing body with the identity of all those taking part kept confidential. The governing body will monitor implementation of the recommendations.

ANNEX A

Process for the Conduct of a Stage Three Governors' Panel Hearing

1. The chair of the committee will invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The chair will explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the Academy and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The chair will then outline the proposed procedure to ascertain whether it is acceptable. If so, the meeting will proceed along the following lines:
 - i) The complainant describes his/her complaint and may call witnesses.
 - ii) The Principal may seek clarification from the complainant and any witnesses.
 - iii) The governors' panel or its advisers may seek clarification from the complainant and any witnesses.
 - iv) The Principal will respond to the complaint and may call witnesses.
 - v) The complainant may seek clarification from the Principal and any witnesses.
 - vi) The governors' panel (including any advisers) may seek clarification from the Principal and any witnesses.
 - vii) The Principal will be given the opportunity to sum up.
 - viii) The complainant will be given the opportunity to sum up.
 - ix) Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The panel should make a decision or judgement.
5. The decision or judgement will be confirmed in writing within 5 days.

NB: If there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaint being reviewed at the same time.