



Overview

This policy is for the benefit of pupils and parents/carers of pupils at King's. This policy and procedure will be relied upon in respect of **all complaints** by parents/carers and pupils made against the academy except in respect of:

- a. **Child Protection allegations** where a separate policy and procedure applies
- b. **Exclusions** where a separate policy and procedure applies
- c. **Admissions** where a separate policy and procedure applies

The academy expects that most concerns should be resolved informally and will use its best endeavours to resolve any complaints that are made informally or any concerns that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Principal and will be dealt with under this Complaints Policy and Procedure.

- a. Every complaint shall receive fair and proper consideration and a timely response. The academy will aim to respond to complaints within 14 – 28 days of their submission.
- b. We will do all we can to resolve concerns, to ensure parents, carers are satisfied with the education that their child receives at King's.
- c. Parents / carers can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.
- d. Correspondence, statements and records will remain confidential except where required by paragraph 6(2)(j) of the Education (Independent Academics Standards) Regulations 2003; where disclosure is required in the course of the academy's inspection; or where any other legal obligation prevails.

MAKING GREAT LEADERS



Complaints Procedure

The complaints procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easy to obtain
- Be simple to understand and use
- Be impartial
- Allow swift handling with clear time-limits for action and keeping people informed of progress
- Respect people's desire for confidentiality
- Provide an effective response and appropriate redress, where necessary and
- Provide information to the academy's Governing Body and Principal so that services can be improved

The academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

Stage One: Informal Resolution

- a. It is hoped that most concerns and complaints will be resolved quickly and informally.
- b. The main contact person between parents/carers and the academy will always be the form tutor. All academy systems will work through tutors to provide a clear and constant link with families. In most cases, the matter should be resolved quickly. If the tutor cannot resolve the matter satisfactorily, it may be necessary for him/her to consult other academy staff, for example the Principal of Department, Principal of Year or Senior Leader.
- c. Complaints made directly to the Deputy or the Principal will usually be referred immediately to child's tutor, unless the Deputy or the Principal deem it appropriate to deal with the matter personally.

MAKING GREAT LEADERS



- d. Tutors will make a written record of all concerns and complaints and the date on which they were received. (See Annex A) These records will be kept for one

(1) year after the pupil leaves academy.
- e. The academy will use reasonable measures to resolve any informal complaints within 10 working days of them being raised, except where they are raised in academy holidays. The ten working days will start from the first day back after the holiday.
- f. Should the matter not be resolved as referred to above, or in the event that the tutor and the parents /carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

Stage Two: Formal Resolution

- a. If the complaint cannot be resolved on an informal basis (as set out above), then parents/carers should put their complaint in writing to the academy Principal. Parents/carers should also identify how they wish their complaint to be resolved, in other words what action they believe the academy should take.
- b. The Principal will normally delegate responsibility for undertaking an investigation of the complaint to the Deputy unless he deems it appropriate to deal with the matter personally.
- c. The Principal will decide, after considering the complaint, the appropriate course of action to take.
- d. In most cases, the Deputy / Principal will meet or speak with the parents/carers concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- e. The Deputy / Principal will make reasonable endeavour to speak to or meet parents / carers within 14 working days of the formal complaint being received, except where the complaint is received in academy holidays.
- f. It may be necessary for the Deputy / Principal to carry out further investigations. The Deputy / Principal will keep a written record of all meetings and interviews held in relation to the complaint.
- g. Once the Deputy / Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents / carers will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than 14 working days following the meeting discssion with parents to discuss the matter.

MAKING GREAT LEADERS



- h. The academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint and the academy's decision, for which records will be kept for one year after the pupil leaves the academy. This record will state if the complaint was resolved at the preliminary hearing or if they were taken to appeal.
- i. Where parents/carers are dissatisfied with the outcome of the academy's response to their formal complaint, they have the opportunity to have their complaint considered by an independent complaints panel.

Stage Three: Appeals Panel

- a. If parents /carers seek to invoke Stage Three following failure to reach an earlier resolution or where dissatisfied with the Principal's decision in respect of their formal complaint, parents / carers may write to the clerk of the Governing Body at the academy address, and request that their complaint be further considered by an independent complaints panel set up for this purpose.
- b. This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.
- c. Parents/carers must lodge their appeal in writing and within ten working days of the date of the academy's decision made in accordance with the Stage Two Procedure. Parents /carers should provide details of their complaint(s) made against the academy and the reasons why they believe the complaint(s) have been unresolved by the Stage Two Procedure, along with the solutions suggested to resolve the complaint.
- d. The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although other relevant and related matters that may subsequently arise may be considered at panel members' discretion.
- e. Where an appeal is received by the academy, the academy will, within 5 working days, refer the matter to the Clerk to the Governing Body who will act as Clerk to the Complaints Panel. Where the appeal is received by the academy during academy holidays, the academy has five working days upon commencement of the academy term to refer the matter to the Clerk.
- f. The Clerk provides an independent source of advice on procedure for all parties.

MAKING GREAT LEADERS



- g. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within 5 working days, and inform the parents of the steps involved in this Complaints Procedure.
- h. The Clerk will then endeavour to convene a panel for this purpose.
- i. Complaints Panel hearing will normally occur no later than 20 academy days after receipt by the academy of the parents'/carers' letter that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
- j. The independent Complaints Panel will consist of two Governors who have not previously been involved in the complaint, and one person independent of the management and running of the academy. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education. (DfE)
- k. The following are entitled to attend a hearing, submit written representations and address the Panel:
 - The parent(s)/carer(s) and/or one representative
 - The Principal / or one representative such as the chair of governors; and
 - Any other person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making

Legal representation is not permitted.

- l. Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
 - Documents in support of complaint(s),
 - Times and key dates relating to complaint(s), and
 - Written submission setting out the complaint(s) in more detail

MAKING GREAT LEADERS



This evidence will be considered by the Panel, along with the initial submission that was lodged by parents.

- m. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than 10 working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than 5 working days in advance of the Panel hearing.

Appeal Protocol

- a. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents'/carers' complaint immediately without the need for further investigation. If further investigation is required, the Panel will decide how it should be carried out.
- b. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the academy will need the appropriate approval from the relevant authorities e.g. the Governing Body and Trust Board, although any such approval must be compatible with the decision of the Complaints Panel.
- c. The Panel's findings will be sent by the Clerk in writing to the parents/carers, the Governing Body, the Trust Board and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.
- d. The academy will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which records will be kept for 1 year after the Pupil leaves the academy.

Referral to the Secretary of State

Where parents/ carers disagree with the findings of the Governors Independent Complaints Panel, they may wish to refer the issue to the Secretary of State for Education.

Reasons for taking this action would be where they feel the governing body is acting or proposing to act unreasonably, or on the grounds that the academy or governing body has failed to discharge its duties under the Education Act. Occasions for such a course of action will be rare.

MAKING GREAT LEADERS



Monitoring and Review

The Deputy will review this policy at least every two years and assess its implementation and effectiveness. A report will be provided to the Governing Body. The policy will be promoted and implemented throughout the academy.

Approval by Governing Body and Review Date

This policy has been formally approved and adopted by the Governing Body at a formally convened meeting .



MAKING GREAT LEADERS



King's Community Academy Complaint Form (Annex A)

Please complete and return to:

Your name:

Pupil's name:

Your relationship to the Pupil:

Address:

Postcode:

Day time telephone number: Evening telephone number: Please

give details of your complaint.

TBC at the academy office who will acknowledge receipt and explain what action will be taken.



MAKING GREAT LEADERS

Registered Office: King's Leadership Academy, Hillock Lane, Woolston, Warrington WA1 4PF
Telephone: 01925 817939. www.greatschoolstrust.org