

Greig City Academy



Complaints Policy and Procedure

This policy was approved by the Governing Body on 10 May, 2022.

It will be reviewed in May 2025 or earlier if there are changes in legislation or school requirements that need to be incorporated.

This policy is published on the Academy's website www.greigcityacademy.co.uk and is available on request to the Principal's PA, V. Oxley, in the following formats: e-mail, enlarged print version, others by arrangement.

Complaints Policy and Procedure

1. Legal context

- 1.1 In accordance with the Education (Independent Schools Standards (England)) Regulations 2014, Schedule 1, Part 7, all academies must make available to all parents and carers a robust and effective complaints procedure to deal with all complaints relating to their academy and to any community facilities or services that the academy provides.

2. Purpose of this policy

- 2.1 The Academy values the good relations it enjoys with parents, carers and the local community. These are based on mutual respect and a willingness to listen to other points of view. The purpose of the complaints policy is to provide a clear and fair process for complaints to be expressed and resolved.

3. Principles

- 3.1 Complaints procedures will be simple to understand, impartial and fair.
- 3.2 Issues will be dealt with promptly and effectively.
- 3.3 The school will aim to deal with the majority of concerns or complaints informally.
- 3.4 Parents, carers and other members of the public who need support with English will be helped to find an interpreter where necessary in dealing with a complaint.
- 3.5 All complaints will be dealt with in strictest confidence with only staff or governors relevant to the complaint being informed.
- 3.6 Complaints will be dealt with in a non-adversarial manner.
- 3.7 All formal complaints will be logged and records kept. Both these records and all documentation relating to the complaint will be kept confidential and maintained in a secure file except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education Act requests access to them, or where any other legal obligation prevails.
- 3.8 The school will use its analysis of complaints to identify any opportunities for improvement in relevant aspects of school life.

4. Who may make a complaint?

- 4.1 The policy and procedures may be used by anyone who has a concern or complaint about a particular aspect of the school, including concerns or complaints about any member of staff. This may include parents and carers of students attending the school, neighbours of the school or any other members of the local community.

5. Timescales

- 5.1 Complaints should be made within 10 school days of the act/omission complained of. The Academy reserves the right not to consider complaints once this deadline is passed. In exceptional circumstances, the Academy may choose to allow an extension of time. A decision on an extension will be made by the Principal unless the complaint is against the Principal, in which case the decision will be made by the Chair of the Governing Body.

6. When the policy should not be used

- 6.1 Issues relating to child protection, criminal investigations and whistle blowing must be handled separately from this policy.
- 6.2 This policy is distinct from staff disciplinary and grievance procedures.
- 6.3 Separate procedures are in place for appeals about school admissions, exclusions and statutory special educational needs assessments.
- 6.4 Third parties that use school premises for any purpose will be expected to adopt their own complaints procedures.

7. Procedure

7.1 Stage 1: Informal discussion with member of staff

- i. Any person wishing to comment or express a concern about any aspect of the school (except for issues noted in paragraph 6 above) should discuss their concern with the member of staff they feel have most knowledge of the matter. For parents and carers this is most likely to be their child's form tutor or Head of Year.
- ii. If the individual is not sure whom to approach, they will be advised to do one the following:
 - Contact the school receptionist on 020 8609 0100 to ask to be put in touch with the relevant member of staff.
 - Email Ms V. Oxley, PA, HR and Administration Manager, voxley@greigcityacademy.co.uk, with details of the concern.
 - Complete and submit the 'contact form' on the school website with details of the concern: www.greigcityacademy.co.uk.
- iii. In all cases, people will be put in touch with a member of staff within two school days of expressing their concern.
- iv. The school will aim to inform complainants within 10 school days, how their concern has been/will be dealt with. However, there may be times when this timescale needs to be extended to allow for information regarding the complaint to be gathered.
- v. If the individual is satisfied with the resolution proposed, no further action will be taken.
- vi. If a complaint is dissatisfied with the response and wishes to take the matter further, they will be advised to put a complaint in writing (by letter or email) and to address the complaint to the Principal, within five school days of receiving the response.
- vii. If the complaint relates to the Principal, the complainant should address their complaint directly to the Chair of the Governing Body. In this case, Stage 2 is omitted and the formal procedure begins at Stage 3.

7.2 Stage 2: Complaint heard by Principal or his delegate

- i. The Principal will acknowledge receipt of the complaint in writing within five school days, explaining the process that will follow.
- ii. The Principal will assign the complaint to a senior member of staff to investigate. The investigation may involve a meeting with the complainant. If a meeting is held, the

complainant may be accompanied by one other person and should inform the Principal of the name of the companion no later than five days prior to the meeting.

- iii. When the Principal has received the results of the investigation he will write to the complainant within 15 school days to explain the findings. The letter will include information about the right to appeal. As is the case at Stage 1, there may be times when this timescale needs to be extended to allow for information regarding the complaint to be gathered.
- iv. The conclusion will be either:
 - that the complaint is upheld (in part or in full). In this case, the Principal will explain any action he has taken/will take.

Or

 - that the complaint is not upheld. In this case, the Principal will give the reasons for his decision.
- v. If the complainant is satisfied with the decision and any resolution proposed, no further action will be taken under this procedure.
- vi. If the complainant is dissatisfied with the Principal's response and wishes to take the matter further, they will be advised to put their complaint in writing (by letter or by email) and to address the complaint to the Chair of the Governing Body, within 10 school days of receiving the response. The complainant must clearly state the grounds for their appeal as well as the resolution they are seeking.

7.3 Stage 3: Complaint heard by a panel convened by the Chair of the Governing Body

- i. The Clerk to the Governors will acknowledge receipt of the complaint in writing within five school days, explaining the process that will follow. This will include informing the complainant of arrangements for a hearing which will normally be within 20 school days of receiving the complaint.
- ii. The Chair of Governors will convene a Complaints Appeal Panel to investigate. The panel will comprise three people not directly involved in the matters detailed in the complaint and who have no detailed previous knowledge of same. Two members of the panel will be governors and one member will be a suitably-qualified person independent of the management and governance of the school. One member of the panel will be appointed chair. The Academy has the right to appoint an adviser to this panel and the adviser may attend the hearing.
- iii. The school will make available to the panel all the records of how matters have been handled to date.
- iv. The complainant may wish to submit further written evidence to the panel and these documents must be received no later than five school days prior to the hearing to allow adequate time for them to be circulated.
- v. The panel may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars will be supplied to all parties no later than three school days prior to the hearing.
- vi. The panel will have a pre-meeting on its own with the clerk and any adviser appointed to identify the issues on which it is being asked to decide.

- vii. The complainant may be accompanied to the hearing by one other person and they must inform the Clerk to the Governors of the name of this companion no later than five school days prior to the hearing. Students (if appropriate to the complaint) may attend part or all of the hearing at the discretion of the chair of the panel. The non-complainant spouse/partner of a complainant parent/carer may attend the hearing where the complaint concerns his/her child.
- viii. The Clerk to the Governors will also attend the hearing in order to keep a record of the proceedings.
- ix. In the meeting:
 - The chair of the panel identifies the issues to be discussed and explains s/he has the power to regulate the meeting to ensure it is limited to the relevant issues.
 - The complainant is invited to outline his/her complaint.
 - At the discretion of the chair, witnesses may be called to support the complaint.
 - The Principal may question the complainant and/or witnesses.
 - The Principal responds to the complaint.
 - At the discretion of the chair, witnesses may be called to support the Principal.
 - The complainant may question the Principal and/or witnesses.
 - The chair has the power to require witnesses to remain outside the meeting room when not giving evidence.
 - The chair of the panel may ask questions at any point.
 - The chair of the panel has the right to call a witness not called by either the Principal or the complainant and to require additional evidence to be provided.
 - If at any stage either party wishes to introduce previously undisclosed evidence or witnesses, the meeting will be adjourned to allow the other side to respond. The chair of the panel has the power to refuse to admit any such evidence.
 - The chair of the panel may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue.
 - The complainant sums up.
 - The Principal sums up.
 - Both parties leave whilst the panel deliberates.
- x. The chair of the panel will ensure that the Clerk writes to both parties within three school days informing them of the decision. The decision will be either:
 - a) that the complaint is upheld (in part or in full). In this case, the letter will explain any action the chair of the panel has taken/will take.
 - Or**
 - b) that the complaint is not upheld. In this case, the letter will give the reasons for the chair's decision.
- xi. The panel will provide copies of the minutes to the complainant.
- xii. The complainant will be informed of their right to take the matter to Stage 4: Referral to the Education and Skills Funding Agency, if they consider that the complaint has not been investigated in a fair and reasonable manner.

7.4 Stage 4: Referral to the Education and Skills Funding Agency

7.4.1 If, after the Governing Body's Complaints Appeal Panel, complainants are still not satisfied they may refer their complaint in writing to the Education and Skills Funding Agency at:

Ministerial and Public Communications Division
Education and Skills Funding Agency
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

7.4.2 The ESFA cannot change an academy's decision about a complaint. Its role is to make sure the academy handles your complaint properly.

7.4.3 The ESFA will only be able to consider your complaint if you can provide evidence that the academy:

- does not have a complaints procedure
- did not provide a copy of its complaints procedure when requested
- does not have a procedure that complies with statutory regulations
- has not followed its published complaints procedure
- has not allowed its complaints procedure to be completed

7.4.4 The ESFA is not able to:

- overturn the governing body's decision
- re-investigate your original complaint – this remains the responsibility of schools
- review the accuracy of minutes taken or documents provided
- order the academy to pay you compensation
- direct the academy to discipline / exclude pupils
- force the academy to discipline / dismiss staff
- instruct the academy to apologise to you

7.5 Circumstances under which stages of the procedure may/should be missed out

7.5.1 In most cases, any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally (Stage 1) before being submitted to any of the formal stages. However, there may occasionally be circumstances under which it is unsuitable for complaints to be dealt with in this way.

7.5.2 In all cases where the complaint concerns the school's Principal directly, Stage 2 will be missed out and the formal procedure will begin at Stage 3.

7.5.3 In some cases, it may be inappropriate for individuals to discuss their complaints informally. In these cases, complaints will be advised to move directly to Stage 2. Complainants may also choose to contact the Principal directly. In these cases, it will be at the discretion of the Principal as to whether or not it is appropriate for the complainant to discuss the matter informally (Stage 1).

8. Dealing with malicious, offensive, persistent or vexatious complaints

8.1 The Academy reserves the right not to consider complaints :

- that are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance);
- that use obscenities, racist or homophobic language;
- that contain personally offensive remarks about members of the school's staff;
- that are repeatedly submitted with only minor differences after we have fully addressed the complaint;
- where the complainant refuses to co-operate with the complaints investigation whilst still wishing his/her complaint to be resolved.

8.2 Should any of the above pertain, the Principal or the Chair of the Governing Body, as appropriate, reserves the right to inform the complainant in writing that the procedure will not proceed/has been exhausted and that the matter is closed.

9. Recording complaints

9.1 A written record will be kept of all formal complaints received and dealt with under Stages 2 and 3. The record will include the name of the complainant, the date the complaint was received and by whom, the nature of the complaint, the nature, date and stage of its resolution.

9.2 Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Education Act requests access to them or where any other legal obligation prevails.

10. Publication

10.1 This policy and procedure will be published on the school's website. A copy will also be available to view at the academy at all times during the school day.

10.2 The policy and procedure will be made available in other formats on request (e.g. Braille, large print, other languages etc.).

10.3 Information regarding the number of complaints registered under the formal procedure during the preceding academic year will also be available on request.

11. Monitoring

11.1 The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the full Governing Body will not name individuals.

Complaints Appeal Panel – Roles and Responsibilities

The Clerk

The Clerk organises the appeal panel review. S/he will:

- set the date, time and venue of the review, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to parties in advance of the review;
- meet and welcome the parties as they arrive at the review;
- record the proceedings;
- notify all parties of the panel’s decision.

The Chair of the Governing Body

The Chair of the Governing Body will:

- check that the correct procedure has been followed at Stage 2;
- if a review is appropriate, appoint the members of the Complaints Appeal Panel;
- notify the Clerk to arrange the panel date, exchange of correspondence and other documentation.

The Chair of the Complaints Appeal Panel

The Chair of the Panel will ensure that:

- the remit of the Panel is explained to the parties and each party has the opportunity to put their case and ask questions;
- parties present are put at ease and each party treats the other with respect and courtesy;
- 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;
- the Panel is open minded and acts independently;
- written materials are seen by all parties;
- if a new issue arises, both parties are given the opportunity to consider and comment on it;
- both parties are notified of the Panel’s decision in writing within three school days.