



Complaints Handling Policy

Contents

Review date

Introduction

The complaint procedure

Complaints not in scope of the procedure

Serial and persistent complaints

Barring from the school premises

Complaint letter

Governors approval.

Review Date

This policy has been written in response to advice from the Department for Education for School Complaints Procedures 2018. This policy will be reviewed before January 2019 subject to any relevant changes in legislation.

Introduction

Parents/carers, pupils and staff are encouraged to express their views on what goes on within Oakwood Academy. Thus, it is hoped that potential difficulties can be avoided or prevented by effective communication and a rapid response to issues raised by stakeholders. In the unusual circumstance of someone having a complaint, then this policy outlines the procedures put in place to deal with such a circumstance. Any questions regarding this policy should be addressed to the Executive Principal Mrs Nicholson.

All complaints will be recorded, acknowledged and investigated thoroughly. The complaint procedure is distinct from formal disciplinary proceedings for staff. However, there may be occasions where a complaint launches a disciplinary procedure.

It is in everyone's interest that all concerns and complaints are resolved at the earliest possible stage. Most concerns can be resolved informally, without the need to invoke formal procedures. Oakwood Academy takes all concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

There are rare occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the stages outlined in this policy.

The Complaint Procedures

The following procedures may be used by staff members, students within the school, parents/carers of pupils at the school and members of the wider community.

Stage 1 Informal

Contact the person involved either in person, by telephone or in writing. Explain what you are unhappy about and give the person the opportunity to respond.

Explain the nature of the concern and what outcome you want.

If the concern is about the Executive Principal then contact the Chair of Governors via the school office on 0161 921 2880.

The informal concern must be addressed within 10 working days from the day that the concern was raised. If you are unhappy with the conclusion then you can choose to progress the concern to stage 2 and make a formal complaint.

Stage 2 Formal

At this stage it must be made clear that it is not a concern but a formal complaint.

All complaints must be made in writing to the Executive Principal.

If the complaint is about the Executive Principal then the letter must go to the Chair of Governors.

The Executive Principal may investigate or designate another member of staff to investigate.

If the Executive Principal has been involved at Stage 1 of the complaint then it is appropriate for someone else to lead Stage 2.

If the complaint was about the Executive Principal the Chair of Governors would lead the investigation.

Upon receiving a formal letter of complaint the designated person investigating will acknowledge the complaint within 3 working days.

The complaint will be investigated and an initial response will be provided within 10 working days.

All interviews, telephone conversations and correspondence carried out during the investigation will be logged and stored securely.

The process needs to be concluded and an outcome letter provided to the complainant within 15 working days. This will include a full explanation of the decision and the reasons for it. It will also state what action the academy will take to resolve the complaint.

Possible outcomes

If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:

- An agreement between the parties
- A verbal apology
- A written apology

If a complaint is not upheld but some issues come out of the investigation that are required to be addressed, then possible outcomes include:

- relevant training programme
- monitoring of the behaviour of employees
- counselling for the aggrieved person
- mediation at the local level

If the complaint is proved not to have occurred at all, or if the complaint was made with the intent of causing distress, the following are possible outcomes:

- Counselling for the person who made the complaint
- A written apology from the person who made the complaint
- An official warning
- Referral for disciplinary action for students and staff

The relevant designated person will make sure that whatever outcome is decided upon actually happens. The designated person or the Executive Principal will also assess the effectiveness of the outcome from time to time.

Stage 3 Review by the Governing Body

If the complainant is unhappy with the outcome and wishes to take the complaint to stage 3. He/she should notify the Chair of the Governing Body within 5 weeks of receiving the outcome letter.

The Clerk to the Governing Body (Ann Rose) will write to the complainant to acknowledge receipt of the written request.

The complaint will be considered by a panel of three Governors, including the Chair of Governors within 20 working days of receiving the complaint.

In order to avoid a conflict of interest situation the panel members will be Governors who have no prior involvement with the complaint. Staff Governors are not eligible to sit on this panel for this reason.

The Chair of the Governing Body will chair the panel meeting if they have not been involved previously. If they have, then the Vice Chair will chair the panel meeting.

The Chair/Vice Chair will write and inform the complainant, Executive Principal, any relevant witnesses and other members of the panel at least 5 working days in advance, of the date, time and place of the panel meeting.

The Chair/Vice Chair of the Governing Body will invite the Executive Principal to attend the panel meeting and prepare a written report for the panel in response to the complaint.

Involvement of staff other than the Executive Principal is subject to the discretion of the Chair of the panel.

The aim of the panel is to resolve the complaint and achieve reconciliation between the academy and the complainant.

If either party wishes to introduce previously undisclosed evidence or witnesses, the Chair of the panel will decide if the meeting should be adjourned so that the other side has time to consider and respond to the new evidence.

The meeting will allow the complainant to explain their complaint and for the Executive Principal to explain the academy's response. The Executive Principal to question the complainant about the complaint and the complainant to question the Executive Principal and/or other members of staff about the academy's response.

Panel members to have an opportunity to question both the complainant and the Executive Principal.

After the meeting the panel will consider the complaint and all the evidence presented and (a) reach a unanimous/majority decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the academy's systems or procedures to ensure the problems of a similar nature do not happen again.

A written notification of that decision will be sent to both parties within 15 working days.

If the complainant is unhappy with the outcome he/she has the option to progress to stage 4.

Stage 4 beyond the Governing Body

Secretary of State

Complaints can be taken to the Secretary of State for Education and Employment under Section 496 of the Education Act 1996, on the grounds that a Governing Body is acting or proposing to act unreasonably, or under section 497 of the same Act, on the grounds that either the Governing Body or the LA has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body or the LA for more information in order to consider the complaint. Further information can be obtained by calling the National Helpline on 0370 0002288 or going online at: www.education.gov.uk/help/contacts.

Complaints not in the scope of this policy

A complaints policy should cover all complaints about any provision of facilities or services that a school provides with the exceptions listed below for which there are separate statutory procedures.

Exceptions	Who to contact
Admissions to Schools	Local Authority
School reorganisation proposals	School HR policies
Safeguarding/Child Protection	Mrs Nicholson - Executive Principal or Head of School. Refer to school Safeguarding/CP policy on website or in school office.

Exclusion of children from school	www.gov.uk/school-discipline-exclusions/exclusions .
Whistleblowing	Oakwood Whistleblowing Policy or direct with Ofsted by telephone on 0300 123 3155 or via email at whistleblowing@ofsted.gov.uk or by writing to WBHL, Ofsted, Piccadilly Gate Store Street Manchester M1 2WD.
Staff Grievance and Disciplinary Procedures	See academy grievance and disciplinary procedures.
Complaints about services provided to the academy by other providers	Providers will have own complaint handling procedures.

Serial and Persistent Complaints

At Oakwood Academy we do our best to be helpful to people who raise a concern or make a complaint. However, in cases where we are contacted repeatedly by an individual who raises the same issue repeatedly we will ensure we act appropriately. We will always do everything we can in response to a genuine complaint, but we also recognise that it is a poor use of schools' time and resources to be writing repeated letters, sending emails or making phone calls to attempt to resolve the same issue. The Chair of Governors can inform an individual that the procedure has been completed and that the matter is now closed.

After the Chair of Governors has notified an individual that a matter is closed, any further contact on the same issue from the complainant will be viewed as 'serial' or 'persistent' and the academy will not respond. This decision will only be taken after all stages and procedures have been adhered to in the first instance.

Under no circumstances would an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a serial or persistent marking would be against the subject or complaint rather than the complainant.

The decision to stop responding to an individual would never be taken lightly and we would always ensure the following:

- . That the academy has taken every reasonable step to address the complainant's needs.
- . The complainant has been given a clear statement of the school's position.

Oakwood Academy would never stop responding to an individual who is just difficult to deal with. As an academy we ensure that parents have the information they are entitled to under the Education Act. A complainant has the right to have a new complaint heard, but the academy will not revisit any previous issues that have been drawn to a conclusion.

If a complainant persists to the point that the school considers it to constitute harassment, legal advice will be sought as to the next steps. In some cases, injunctions and other court orders will be sought because of the complainant's behaviour.

Different procedures apply to Freedom of Information and Data Protection correspondence.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, we will ask him/her to leave the premises. In serious cases, the Executive Principal can notify them in writing that their implied licence to be on the premises has been revoked subject to any representation that the parent wishes to make. This will be done in writing and parents will be given the opportunity to formally express their views. The decision to bar will be reviewed after a given period of time. This will be communicated to parents by letter.

Anyone wishing to complain about being barred can do so by letter or email to the Executive Principal or Chair of Governors. However, complaints about being barred cannot be escalated to the Department for Education. The only remaining avenue of appeal is through the Courts: independent legal advice must therefore be sought.

Letter of complaint

YOUR DETAILS

FAMILY NAME: GIVEN NAME:

ADDRESS:

PHONE NUMBERS:

(HOME) (WORK) (MOBILE)

Are you a Parent or Carer (Name of pupil) Staff

Other (Please specify)

Have you discussed this matter with a designated staff member? Yes / No

If Yes when? Who dealt with the matter?

What was the outcome?

Can you please give details below of the complaint and outcome you are seeking.

Date:.....

Signature:

The Governors agreement to Policy

Signed (Chair of Governors) Date

Policies are reviewed every 2 years or as necessary depending on new legislation.