

# Complaints Procedure

# Contents

Section	Page
<b>1.0</b> Policy statement	<b>3</b>
<b>2.0</b> Scope and purpose	<b>3</b>
<b>3.0</b> General principles	<b>3</b>
<b>4.0</b> Our five stage procedure	<b>3</b>
<b>5.0</b> Stage 1: Informal discussion	<b>4</b>
<b>6.0</b> Stage 2: Referral to the Principal for investigation	<b>4</b>
<b>7.0</b> Stage 3: Review by the governors	<b>4</b>
<b>8.0</b> Stage 4: Referral to the Department for Education	<b>4</b>
<b>9.0</b> Policy ownership, monitoring and review	<b>5</b>
<b>10.0</b> Complaints log, record keeping and information sharing	<b>5</b>
<b>11.0</b> Appendix 1 – Guidance for staff on complaint handling	<b>5</b>
<b>12.0</b> Guidelines for each stage of the complaint procedure	<b>5</b>
<b>13.0</b> Serial or persistent complaints	<b>7</b>
<b>14.0</b> Appendix 2	<b>8</b>
<b>15.0</b> Appendix 3	<b>9</b>
<b>16.0</b> Appendix 4	<b>10</b>



## 1.0 Policy statement

- 1.1 The Dixons Academies Trust recognises that at times things can and do go wrong. The Trust's governors and staff believe that it is in everyone's best interest to resolve complaints at the earliest possible stage.
- 1.2 For the purposes of this policy, a 'complaint' is to be interpreted as 'the expression of concern over any subject connected with the education and / or welfare of any pupil at the school,' this policy therefore, seeks to help parents / carers understand how to resolve concerns about their child's education.

## 2.0 Scope and purpose

- 2.1 The scope of this policy covers most complaints that the academies are likely to receive from parents / carers or students. However, it is not intended to cover aspects for which there are specific statutory requirements, in particular, complaints about the delivery of the curriculum or the provision of collective worship or religious education.

In addition:

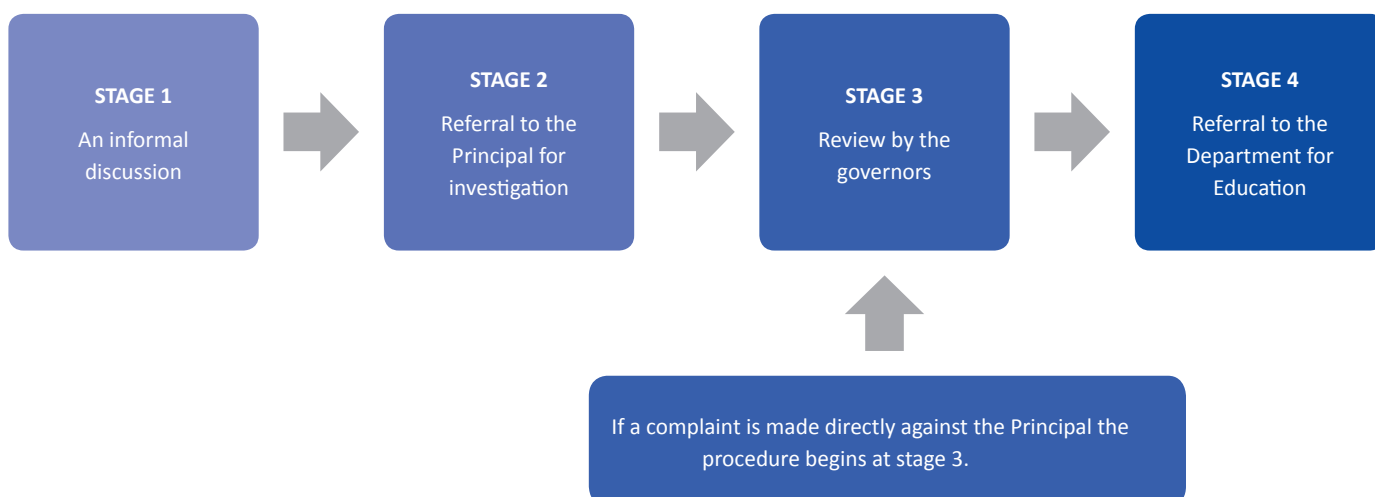
- parents who are not satisfied with a special needs assessment may appeal to an SEN Tribunal
- concerns about admissions or exclusions have specific appeal rights to the governors and are detailed in the relevant policies
- allegations of child abuse will be dealt with through the Safeguarding and Child Protection Policies
- complaints of financial improprieties or other criminal activities will be dealt with through the Whistleblowing Policy
- The policy complies with Part 7 of the Education (Independent School Standards) Regulations 2014

## 3.0 General principles

- 3.1 The Dixons Trust complaints procedure will:
- encourage resolution of problems by informal means wherever possible
  - be easily accessible and publicised
  - be simple to understand and use
  - be impartial
  - be non-adversarial
  - allow swift handling with established time limits for action and keeping people informed of the progress
  - ensure a full and fair investigation by an independent person, where necessary
  - respect people's desire for confidentiality
  - address all the points at issue and provide an effective response and appropriate redress, where necessary
  - provide information to senior leadership so that services can be improved

## 4.0 Our five stage procedure

- 4.1 The following diagram outlines the key stages of our complaints procedure.



## **5.0 Stage 1: Informal discussion**

- 5.1 Our experience is that the vast majority of complaints can be resolved informally to the full satisfaction of those who raise them. There are many occasions where complaints can be resolved straight away and the complainant can be provided with the benefit of an immediate response avoiding the need to submit a formal complaint.
- 5.2 Complaints may be raised with any member of the academy staff depending on the type of issue to be discussed.
- 5.3 The person who raised the issue will be informed of any action to be taken to resolve the complaint usually in a meeting or if appropriate, by phone. The complaint will be acknowledged within 3 school days and will be responded to within 7 working days and sooner if possible.
- 5.4 If the person who raised the complaint is dissatisfied with the response given they should contact the academy and refer to stage 2 below within 7 working days of the response from Stage 1.

## **6.0 Stage 2: Referral to the Principal for investigation**

- 6.1 If a complainant is unhappy with the response from stage 1, they will be offered, before a formal investigation begins, an informal meeting with the Principal or Vice / Principal to discuss their complaint. They will be offered this within 7 working days of the Stage 2 being received and sooner if possible. It may still be appropriate to reach an informal resolution at this point. The Principal or Vice / Principal will also support the complainant in deciding whether the complaint is best dealt through this policy, or another statutory procedure, and will advise the complainant on the next steps they would need to take.
- 6.2 If it is agreed to deal with the complaint through this policy, then a formal written complaint should now be provided to the Principal. This will be acknowledged within three school days of receipt.
- 6.3 A senior member of staff will now conduct an investigation on behalf of the Principal.
- Interviews and statements will be taken as necessary.
  - All persons interviewed will have the right to be accompanied or represented by a friend, relative or union representative at discussions and hearings.
- 6.4 A written response will be sent to the complainant within 10 school days of the initial acknowledgement. The response will determine whether or not the complaint has been upheld, the reasons why and what action, if any, will be taken.
- 6.5 If the complainant remains dissatisfied after this response, they should refer to stage 3 below and write to the Chair of Governors within 7 working days of the Stage 2 meeting.

## **7.0 Stage 3: Review by the governors**

- 7.1 The complainant must submit a written request to the Chair of Governors for their complaint to be further considered. This request will be acknowledged within 10 school days. The acknowledgement will inform that the complaint is to be heard by a governors' panel, of at least three, within 20 school days. The panel members will have had no previous involvement in the complaint, and one of them will be independent of the running and management of the school concerned. The Chair of Governors may request an investigation prior to the hearing.
- 7.2 The aim of the hearing will be to resolve the complaint and, if at all possible, achieve a reconciliation between the academy and the complainant.
- 7.3 A written statement outlining the decision of the governors will be sent to the complainant and the Principal within 10 working days of the hearing. If the complainant remains unhappy, they should contact the Department for Education (see Appendix 1).

## **8.0 Stage 4: Referral to the Department for Education**

- 8.1 Complaints can be taken to the Secretary of State. The complainant should contact the department within 15 working days of receiving the response from the Governing Body.

## **9.0 Policy ownership, monitoring and review**

- 9.1 The Trustees and the Executive is responsible for ensuring that the Trust adheres to this policy and that this policy is periodically reviewed.

## **10.0 Complaints log, record keeping and information sharing**

- 10.1 The P.A. to the Principal will log any stage 2 complaints with the P.A. to the Executive, so that trends can be identified and reported to the Trust Board.
- 10.2 The academy / Trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, the final outcome and action taken by the school as a result of the complaint (regardless of whether the complaint was upheld). The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and stored securely. It will only be viewed by those involved in investigating the complaint or on the appeal panel.

10.3 This is except where the Secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of Data Protection legislation, or where the material must be made available during a school inspection.

10.4 Records of complaints will be kept for a minimum of 6 years.

## **11.0 Appendix 1 – Guidance for staff on complaint handling**

### **11.1.1 Publicity**

11.1.2 Parents / carers should always know how they can raise a complaint. The policy can be found on the academy website and a paper copy will also be available.

### **11.2.0 Procedures should be as speedy as possible**

11.2.1 Each stage of the procedure has known time limits. Where it is not possible to meet these, information about progress will be given to the complainant.

### **11.3.0 Support for complainant**

11.3.1 If required, support for the complainant can be offered from individuals or organisations who are clearly separated from those complained against, such as Citizens Advice Bureaux, refugee support organisations and other local advice centres. Parents are invited to be accompanied by a friend, a relative or a representative at any stage of the procedure.

### **11.4.0 Support for the person who the complaint is raised against**

11.4.1 Staff who may be questioned as part of a complaint investigation must feel they are being treated in a fair way and that they too will have an opportunity to put their case forward. They will be told about the procedure and kept informed of progress. There is an important balance to be maintained between supporting the individual so that their rights and reputation are protected during the course of an investigation.

11.4.2 The complaints procedure is distinct from formal disciplinary proceedings for staff. There may be occasions where a complaint launches a disciplinary procedure which puts the complaints procedure on hold. If so, the complainant will be informed and any non-disciplinary aspects of the complaint will be dealt with by the usual complaints procedure.

### **11.5.0 Confidentiality**

11.5.1 All conversations and correspondence will be treated with discretion. Parents need to feel confident that their complaint will not penalise their child from the outset, all parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure.

11.5.2 It is at the discretion of the Principal as to whether anonymous complaints warrant an investigation. It is usual to disregard anonymous complaints unless somebody is prepared to substantiate them.

### **11.6.0 Redress**

11.6.1 If the outcome of the complaint shows the academy is at fault, it will be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaking to review policy, or, in appropriate circumstances, financial compensation.

### **11.7.0 Record keeping**

11.7.1 Recording stage 1 needs only be a basic record with the date, name and nature of the complaint. More detailed recording will begin at the point when a complaint has become an issue that cannot be resolved on the spot, but needs investigation.

## **12.0 Guidelines for each stage of the complaint procedure**

### **12.1.0 Stage 1: dealing with complaints informally**

12.1.1 The vast majority of complaints can be resolved informally. There are many occasions where complaints are resolved straight away through the class teacher or Principal, depending on whom the parents first approached.

12.1.2 Parents / carers must feel able to raise complaints with members of staff without any formality, either in person, by telephone or in writing. On occasion, it may be appropriate for someone to act on behalf of a parent.

12.1.3 At first, it may be unclear whether a parent / carer is asking a question or expressing an opinion rather than making a complaint. A parent / carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

### **12.2.0 Stage 1: procedure**

12.2.1 Parents / carers have an opportunity to discuss their complaint with the appropriate member of staff who clarifies with the parent the nature of the complain and reassures them that the academy wants to hear about it. It can be helpful to identify at this point what sort of outcome the parent is looking for.

12.2.2 If the first member of staff to be contacted regarding a complaint is unable to deal with it, they should make a note of the date, the name, contact number and address and pass this information onto the relevant person. They should check later to make sure the referral has been successful.

- 12.2.3 If the complaint relates to the Principal, the parent should be advised to contact the Chair of Governors, who will, in the first instance, discuss it with the Executive Principal.
- 12.2.4 The staff member dealing with the complaint will make sure that the parent knows what action (if any) or monitoring of the situation has been agreed.
- 12.3.0 Stage 2: referral to the Principal for investigation**
- 12.3.1 One of the reasons for having various stages in the procedure is to reassure complainants that their grievance is being heard by more than one person. The Principal will ensure that his / her involvement will not predominate at every stage of a particular complaint.
- 12.4.0 Stage 2: procedure**
- 12.4.1 The Principal will acknowledge the complaint orally or in writing within three school days of its receipt and will appoint somebody to carry out an investigation. An opportunity will be given for the complainant to meet the investigating officer to provide any supplementary information. The complainant may be accompanied by a friend, relative or representative.
- 12.4.2 The investigating officer will interview witnesses and take statements from those involved. If the complaint centres around a student, the student will also be interviewed, normally with the parents present. If a member of staff is complained against, the needs of that person should be borne in mind.
- The investigating officer will keep written records of meetings, telephone conversations and other documentation.
- 12.4.3 Once the facts have been established, the investigating officer will report to the Principal who will meet the complainant to discuss / resolve the matter directly. The complainant will be advised that, should they wish to take the complaint further, they should get in touch with the Chair of Governors within five weeks of receiving the outcome letter.
- 12.4.4 If the complaint is against the Principal, stage 2 will be carried out by the Chair of Governors.
- 12.5.0 Stage 3: review by the governors**
- 12.5.1 Complaints only rarely reach this formal level where the complainant is not satisfied by the Principal's response. It may be appropriate that the governors consider this now a complaint against the academy, rather than against the member of staff whose actions led to the original complaint.
- 12.6.0 Stage 3: procedure**
- 12.6.1 The Chair of Governors will acknowledge the complaint and will set up a hearing of the Governing Body within 20 school days of receiving the complaint. The letter will also explain that the complainant may submit any further relevant documents in advance of the hearing. Governors hearing the complaint will have no prior involvement with the complaint and one member of the panel will have no connection to the academy.
- 12.6.2 All parties will be given five school days' notice of a hearing. The complainant may be accompanied to the hearing by a friend, relative or representative.
- 12.6.3 The Principal will be invited to the hearing. Involvement of other staff is subject to the discretion of the Chair of Governors.
- 12.6.4 The aim of the hearing will be to resolve the complaint and achieve a reconciliation between the academy and the complainant. However, it has to be recognised that it may only be possible to establish facts and make recommendations which will satisfy the complainant. The hearing proceedings will be as informal as possible.
- The hearing will allow for:
- the complainant to explain their complaint and for the Principal to explain the academy's response
  - the complainant and the Principal to question each other and for members of the hearing panel to also ask questions
  - any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses
  - final statements by both the complainant and the Principal
- 12.6.5 Following the hearing, the panel will consider the complaint and will send their written decision to both parties within 15 school days.
- 12.7.0 Stage 3a: independent review**
- 12.7.1 If the complaint is not resolved at the end of stage 3, the governors may decide to set up an independent arbitration panel, none of whom would have a connection to the academy or the complainant.
- 12.7.2 Both parties would be encouraged to agree, ahead of time, to abide by its findings. If not, the panel can only express a view about the complaint and the means of resolving it. An arbitration panel has no legal basis for imposing its will.
- 12.8.0 Stage 4: referral to the Department for Education**
- 12.8.1 Ultimately, and very rarely, complaints can be taken to the DfE on the grounds that a Local Governing Body is acting, or proposing to act, unreasonably or has failed to discharge its statutory duties.
- 12.8.2 If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.



12.8.3 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint.

12.8.4 The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

### **13.0 Serial or persistent complaints**

13.1 If the complainant contacts the academy repeatedly about the same matter, then such communication may be viewed as 'serial' or 'persistent' and the academy may choose not to respond. The academy will not mark a complaint as 'serial' before the complainant has completed the procedure. The decision to stop responding will not be taken lightly and will only be taken on the advice of the CEO and or the Chair of the Trustees if they believe that all reasonable steps have been taken to address the complainant's needs and that the academy's position has been stated clearly and despite this, the complainant is making the same points repeatedly.

## 14.0 Appendix 2

### How to listen to complaints

<b>Don't pass the buck</b>	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.
<b>Don't be flippant</b>	First impressions count. You and the academy may be judged on your immediate reaction.
<b>Treat all complaints seriously</b>	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain.
<b>Treat every complaint individually</b>	Even if you have received several complaints the same day, it is probably the person's first chance to have their say.
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues.
<b>Say who you are</b>	If you are unknown to the person, introduce yourself.
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances.
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
<b>Don't take the complaint personally</b>	To an angry or upset person, you are the academy and the only one who they can express their feelings to right now.
<b>Stay cool and calm</b>	Don't argue with the person. Be polite and try to find out exactly what the person thinks is going wrong or has gone wrong.
<b>Check you are being understood</b>	Make sure that the person understands what you are saying. Don't use jargon: it can cause confusion and annoyance to someone 'not in the know'.
<b>Don't rush</b>	Take your time. Let people have their say and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.





## 15.0 Appendix 3

### Checklist for a panel hearing

The panel needs to take the following points into account:

- the hearing is as informal as possible
- witnesses are only required to attend for the part of the hearing in which they give their evidence
- after introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- the academy may question both the complainant and the witnesses after each has spoken
- the academy is then invited to explain its actions and be followed by the academy's witnesses
- the complainant may question both the academy representative and the witnesses after each has spoken
- the panel may ask questions at any point
- the complainant is then invited to sum up their complaint
- the academy is then invited to sum up the academy's actions and response to the complaint
- both parties leave together while the panel decides on the issues
- the chair explains that both parties will hear from the panel within a set time scale



## 16.0 Appendix 4

### Complaint Form

Please complete and return to the Principal\* who will acknowledge receipt and explain what action will be taken.

Your name:			
Name of student:			
Your relationship to the student:			
Address:			Postcode
Daytime telephone No.		Evening telephone No.	
Please give details of your complaint. (use a separate sheet if required)			
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)			
Signature:			
Print name:		Date:	

\*If your complaint relates to the Principal you should return this form to the Chair of Governors

