



EQUA

Multi Academy Trust

COMPLAINTS POLICY AND PROCEDURE

This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with the Academy by parents/guardians of pupils as a matter of concern, but which has not been capable of resolution informally, and which the complainant or the Academy consider should be dealt with on a formal basis.

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Committee	Resources
Adopted by governing body	
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Stage 1 – Informal Resolution

The Academy will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a student it will have been raised with the child's class teacher in the case of primary schools and the Form Tutor and Head of Year for a secondary school.

If the complaint is related to a concern about behavioural bullying please contact Victoria Thomas, Attendance and Behaviour Manager in the first instance.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the Academy's Behaviour Code adopted from time to time. The Chair of Governors shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage.

Please note it is in the interests of all concerned that complaints at any stage are dealt with quickly and efficiently. The Academy may terminate a complaint at any time where the complainant has unduly delayed.

Stage 2 – Formal Resolution (Investigation by a nominated individual)

1. The complainant must put the complaint in writing, addressed to the Principal, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the Academy has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the Principal as appropriate - who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant and if no meeting is to take place within 25 school days of the complaint being received.

Any complaint relating to the Principal must be raised in the first instance with the Chair of Governors (or Vice-chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Governor to investigate in the same way as in the first stage of the formal process outlined above.

Stage 3 – Formal Resolution (Panel Hearing)

1. If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of the Academy.

It is important to note that the request must be in writing, addressed to the Clerk to the Governors at the Academy, and received **within 10 school days** of the stage 2 response being sent to the complainant. The request must set out briefly the reasons why the complainant is dissatisfied with the response.

If the request is lodged outside of 10 school days the Academy may terminate the process and the complaint will be deemed to have been concluded in accordance with the findings at stage 2. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section.

2. The Clerk will invite the Academy to put in writing its response to the complainant's reasons. The Academy will do this within 15 school days of receiving the request and at the end of that period (whether or not the Academy has responded) the Clerk will convene a meeting of the Complaints Panel of Equa Trust board. That meeting will be held on the school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the Academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Academy will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.
4. The Panel may make findings and recommendations and a copy of those findings and recommendations will be
 - (i) Sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) Available for inspection on the Academy premises by the Academy Trust and the Principal.
5. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk to the Governors will notify all concerned.

Attendance at a Complaints Panel Hearing

The complaints panel will proceed irrespective of whether or not the complainant and/or their representative attend. If the complainant and/or their representative fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent complainants

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that the Academy Trust will not respond to any further correspondence on this issue or a closely related issue.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, or whether it proceeded to a stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

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 Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at www.gov.uk or you may write to the ESFA at Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH