



COMPLAINTS PROCEDURE

Principles

Our definitions are as follows:

"A complaint is an expression of dissatisfaction made either orally or in writing and formally received by the Academy about the standard of service, actions or lack of action by the Academy or staff affecting an individual or group".

"A grievance is a formal statement of complaint".

Special Circumstances

Where there are established statutory or other procedures for the dealing with a complaint, these will be followed. These complaint guidelines presented in this document do not cover those matters already provided for such as:

- i) Admissions (S411-412 1996 Education Act)
- ii) Exclusion of pupils (S154-160 1996 Education Act)
- iii) Special Education Provision (Part IV 1996 Education Act)
- iv) School Re-organisation Proposals (S35 96 Act)
- v) Curriculum and Religious Worship (which have their own procedures as required by Chapter III of Part V of the Education Act 1996)
- vi) Complaints covered by the Children Act 1989 (which have their own procedure)
- vii) Complaints which are the subject of Legal Proceedings or have been so
- viii) Complaints being considered by the Secretary of State for Education under any statutory power
- ix) Complaints about the allocation of resources according to agreed criteria, such as awards and benefits (these have their own procedure)

Overview

Complaints will be treated seriously and courteously and given the time they require to be heard.

Complainants will be advised at the earliest possible stage of:

- The scope, if any, for pursuing their complaint and the procedure for dealing with it.
- The way in which the complaint will be handled.

N.B. Anonymous complaints would not normally be considered under this procedure. The Academy will not tolerate abuse of staff during the complaint process. Where agreement cannot be reached, the aim of procedure is to ensure that all parties are treated fairly.

Complaint and Grievance Circumstances

You should express concern to the school if you are unhappy about a general issue such as:

- your child's academic progress
- special educational needs provision

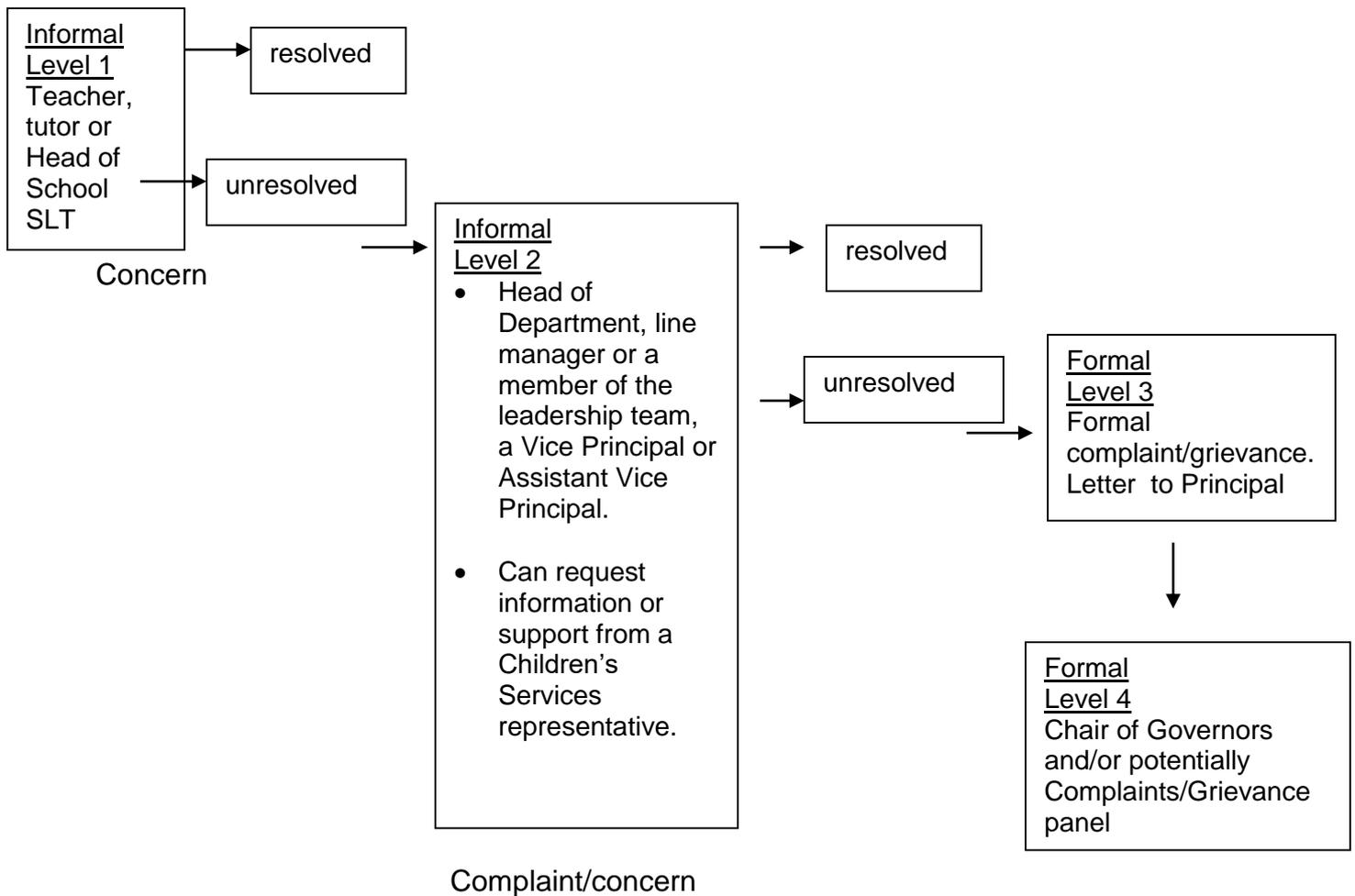
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- your child's welfare
- bullying
- the overall running of the Academy
- a Academy policy
- the management of the Academy budget
- the use of Academy facilities

Aims

The aim is that the concern/complaint should be properly and fairly dealt with. The later stages of the Complaints Procedure are used rarely but remain part of the process. Services are improved by a positive response to compliments, concerns and complaints.

Flowchart of procedure for handling concerns and complaints:



Overview of the process

Stage 1

Most concerns can be quickly resolved by talking to the teacher or member of staff concerned. To do this you can contact the school to arrange a time to meet with the person concerned and discuss the problem, however, we request that you place your concerns in writing in the first instance.

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Stage 2

If the matter is not resolved by direct communication with the person concerned, the matter should then be communicated with the Head of Department, line manager or member of the senior team. Again, we request that you put your concerns in writing. It may be necessary to arrange an appointment at that point or later in the process.

Stage 3

In a small number of cases, the matter may still not be resolved and will be referred to the Principal in writing and a similar process to that described in Stage 2 will occur. In a very small number of cases the matter may still be unresolved. When this happens, the complaint should be directed to the Chair of the Governing Body. This means putting your complaint in writing to the Chair of Governors and sending it to him via the Academy or Clerk to Governors. The Chair of Governors will then contact you.

NB. If you do not discuss the matter with the Principal it is not normally possible to proceed further with the official complaints procedure. In this circumstance, you should also put your complaint in writing, stating the reasons why you have not discussed it with the Principal, and send it to the Chair of Governors.

Stage 4

If the complaint cannot be resolved by the involvement of the Chair of Governors, you can ask for the complaint to be considered by the Governing Body's own Complaints Committee. To request a hearing before the Complaints Committee, please write to the Clerk to the Governors within five working days of the decision you wish to appeal. Your request will only be considered if you have completed the relevant procedures at stages 1 - 3. Please ensure that copies of all relevant documents accompany your letter to the Clerk and state all grounds for your complaint and the outcome you desire. The Clerk will acknowledge your request within 5 working days. The review will be undertaken by a panel of at least 3 members appointed on behalf of the governing body. The panel members will have no detailed previous knowledge of the case, will not include the Chair of Governors, and one member will be independent of the management and running of the school. The Clerk will convene the panel as soon as is reasonably practicable but the panel will not sit during school holidays.

Every effort will be made to enable the meeting to take place within 15 days of the receipt of your request. As soon as is practical and at least 5 working days before the hearing, the Clerk to the Governors will send your written notification of the date, time and place of the hearing together with brief details of the panel members who will be present.

You will be asked to attend the hearing and may be accompanied by one other person, e.g. a relative, friend who should not be legally qualified. Your child may attend the hearing at the discretion of the Chair. Copies of additional documents you wish the panel to consider should be sent to the Clerk to the governors at least 3 days prior to the hearing.

The panel shall reach a decision unless there is an agreed position. The decision, findings and recommendations may be notified to you orally at the hearing or subsequently and shall be confirmed in writing within ten working days.

If a complaint is made either in writing or verbally to the Director of Children's Services or to any officer of the local authority, the Governing Body of the school is made aware of the complaint and is requested to deal with it through the procedures described above.

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Seeking remedy beyond Stage 4

If you are not satisfied with the process of the investigation, (not the outcome), you can make this known to the Director of Children's services. However, further action can only be taken if it can be demonstrated that the agreed procedure has not been followed, or if the Governing Body has not correctly exercised its functions. Ultimately, you can complain to the Secretary of State for Education if you feel the Governing Body has not reasonably exercised its functions.

Vexatious Complainants/Harassment

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include:

- actions which are out of proportion to the nature of the complaint, or persistent – even when the complaints procedure has been exhausted.
- A complaint that is unjustifiably repetitious
- Pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language or refusing to attend appointments to discuss the complaint).

In cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps:

- Inform the complainant in writing that the school considers his/her behavior to fall under the terms of the vexatious complainant's/harassment policy;
- Inform the complainant that, except in emergencies, the school will respond only to written communication;
- Ban the individual from entering the school site

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment Policy. The school nevertheless reserves the right not to respond to communications from individual's subject to the policy.

General Guidance on Handling Complaints and Grievances

How an issue is handled gives people a clear idea of how committed the Academy and governing body are to giving the best possible provision.

Issues need to be dealt with as calmly, courteously and as quickly as possible.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body may nominate a number of members with delegated power to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

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The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.