



## Complaints Policy

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## Contents

<b>1.0 Availability of the Complaints Policy</b>	<b>2</b>
<b>2.0 Introduction</b>	<b>2</b>
<b>3.0 Aims and Objectives</b>	<b>3</b>
<b>4.0 Complaints Procedure</b>	<b>3</b>
<b>5.0 Stage 1 – Informal Resolution</b>	<b>3</b>
<b>6.0 Stage 2 – Formal Resolution</b>	<b>4</b>
<b>7.0 Stage 3 – Complaint Panel</b>	<b>4</b>
<b>8.0 Monitoring, Evaluation and review</b>	<b>6</b>

## 1.0 Availability of the Complaints Policy

1.1 This policy will be used across each Academy within Central RSA Academies Trust for all complaints from parents/guardians or other parties.

1.2 A copy of the complaints procedure is available from the Academy's Reception and on the school websites:

[www.abbeywood.worcs.sch.uk](http://www.abbeywood.worcs.sch.uk)

[www.arrowvaleacademy.co.uk](http://www.arrowvaleacademy.co.uk)

[www.churchhill.worcs.sch.uk](http://www.churchhill.worcs.sch.uk)

[www.ipsleyacademy.co.uk](http://www.ipsleyacademy.co.uk)

[www.rsaacademy.org](http://www.rsaacademy.org)

1.3 Each Hub/School will provide Annex(s) to this policy outlining their specific flow of complaints and the forms required to be completed to submit a formal complaint.

## 2.0 Introduction

2.1 We believe that our trust provides a good education for all our children, and that the Principals and other staff work very hard to build positive relationships with all parents. However, the trust is obliged to have procedures in place in case there are complaints by parents or other parties.

2.2 If any parent/guardian is unhappy with the education that their child is receiving, or has any concern relating to the trust, we encourage that person to talk to the child's class teacher immediately.

2.3 We deal with all complaints in compliance with guidance/regulation set out by the Department for Education, The Education Funding Agency (EFA) and The Education (Independent School Standards) (England) Regulations 2014. Schedule 1, Part 7.

We have adopted a three-stage process for dealing with complaints (See Annex A for flow chart):

- Stage 1 – Complaint heard by member of staff
- Stage 2 – Complaint heard by Principal
- Stage 3 – Complaint heard by Complaint Panel

## 3.0 Aims and Objectives

3.1 Our trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint we endeavour to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

## 4.0 Complaints Procedure

### 4.1 Our 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 effective response and appropriate redress, where necessary;
- Provide information to the Academy's senior management team to enable services to be improved.

4.2 The Academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

## 5.0 Stage I – Informal Resolution

5.1 Most concerns will be dealt with informally and parents/guardians are encouraged to speak to a member of staff to discuss your concerns. The formal procedures set out below will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

5.2 If a parent/guardian is concerned about anything to do with the education that we are providing within our trust, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and are making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

5.3 Our Academies operate an open door policy and as such, parents/guardians may wish to book in some time to talk to the Principal if this would be beneficial in resolving your concern informally.

5.4 Should the complaint be about the Principal, the Trust will do all they can to ensure the issue is resolved informally through a dialogue with the persons concerned.

5.5 If there is a specific allegation against a member of staff please see Annex B.

## 6.0 Stage 2 – Formal Resolution

- 6.1 If the complaint cannot be resolved on an informal basis (as set out in the above paragraphs), then parents/guardians should put their complaint in writing (using Appendix I attached) and hand this into the Academy for the attention of the Principal.
- 6.2 The Principal considers any such complaint very seriously. The complaint will be investigated thoroughly (by the Principal or a person delegated to undertake the investigation).
- 6.3 The Principal will decide, after considering the complaint, the appropriate course of action to take.
- 6.4 In most cases, the Principal will meet or speak with the parents/guardians concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- 6.5 The Principal will use reasonable endeavours to speak to or meet parents/guardians within 10 working days of the formal complaint being received.
- 6.6 Once the Principal is satisfied that, so far as practicable, all of the relevant facts have been established, a decision will be made which will be communicated to parents/guardians in writing giving the reasons for the decision. The written decision should be provided no later than 10 working days after speaking with or meeting with parents/guardians to discuss the matter.
- 6.7 The Academy will hold a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the Academy's decision. The record will be retained for 1 year after the pupil leaves the Academy.
- 6.8 Should the complaint be about the Principal, it will then be considered by the Chair of Local Academy Governing Board (as appropriate) who will follow the above steps.
- 6.9 Only if Stage 2 proceedings fail to resolve the matter should a complaint progress to Stage 3.

## 7.0 Stage 3 – Complaint Panel

- 7.1 If parents/guardians seek to invoke Stage 3, following failure to reach an earlier resolution with the Principal or Chair of Governors' decision, in respect of their formal complaint. They may request their complaint is considered by the Complaints Panel. Such a request must be made in writing\* addressed to Director of Business and Finance, care of the Academy.
- 7.2 This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.

- 7.3 Parents/guardians must lodge their appeal in writing within 10 working days of the date of the Academy's decision made in accordance with the Stage 2 procedure. The parents/guardians should provide, in writing a list of the complaints made against the Academy and which they believe to have been resolved unsatisfactorily by the Stage 2 procedure, along with the remedies sought in respect of each.
- 7.4 The Complaints Panel is only obliged to consider the complaint lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
- 7.5 Where an appeal is received by the Academy, the Academy will, within 5 working days, refer the matter to the Clerk to the Local Academy Governing Board who will act as Clerk for the Complaints Panel. Where the appeal is received by the Academy during Academy holidays, or within 2 working days of their commencement, the Academy has 5 working days upon commencement of the school term to refer the matter to the Clerk.
- 7.6 The Clerk provides an independent source of advice on procedure for all parties.
- 7.7 On receipt of an appeal, the Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible, usually no later than 20 school days after receipt of the notification from the parents/guardian that they wish to invoke Stage 3. The Panel date will be dependent upon the availability of the Panel members.
- 7.8 The Independent Complaints Panel will consist of two governors from the Local Academy Governing Board who have not previously been involved in the complaint, and one person independent of the management and running of the school who will be selected from the Local Governing Board of another school/academy.
- 7.9 The following are entitled to attend a hearing and/or, submit written representations and address the Panel:
- The parent(s)/guardian(s);
  - The Principal of the Academy
  - Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making.
- 7.10 Where required, the Complaints Panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the Clerk who will distribute the information to the relevant parties in advance of the hearing.
- 7.11 After due consideration of the facts considered relevant, the Panel will reach a decision, and make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the Academy will need the appropriate approval from the Academy Trust, although any such approval must be compatible with the decision of the Complaints Panel.

7.12 There is no further right of appeal to the Local Academy Governing Board or Academy Trust. All complainants have the right, as a last resort, to contact the Education Funding Agency if they are not satisfied with the way in which their complaint has been considered. You can contact the EFA via their complaints form on the following link <https://www.education.gov.uk/form/school-complaints-form>

## 8.0 Monitoring, Evaluation and review

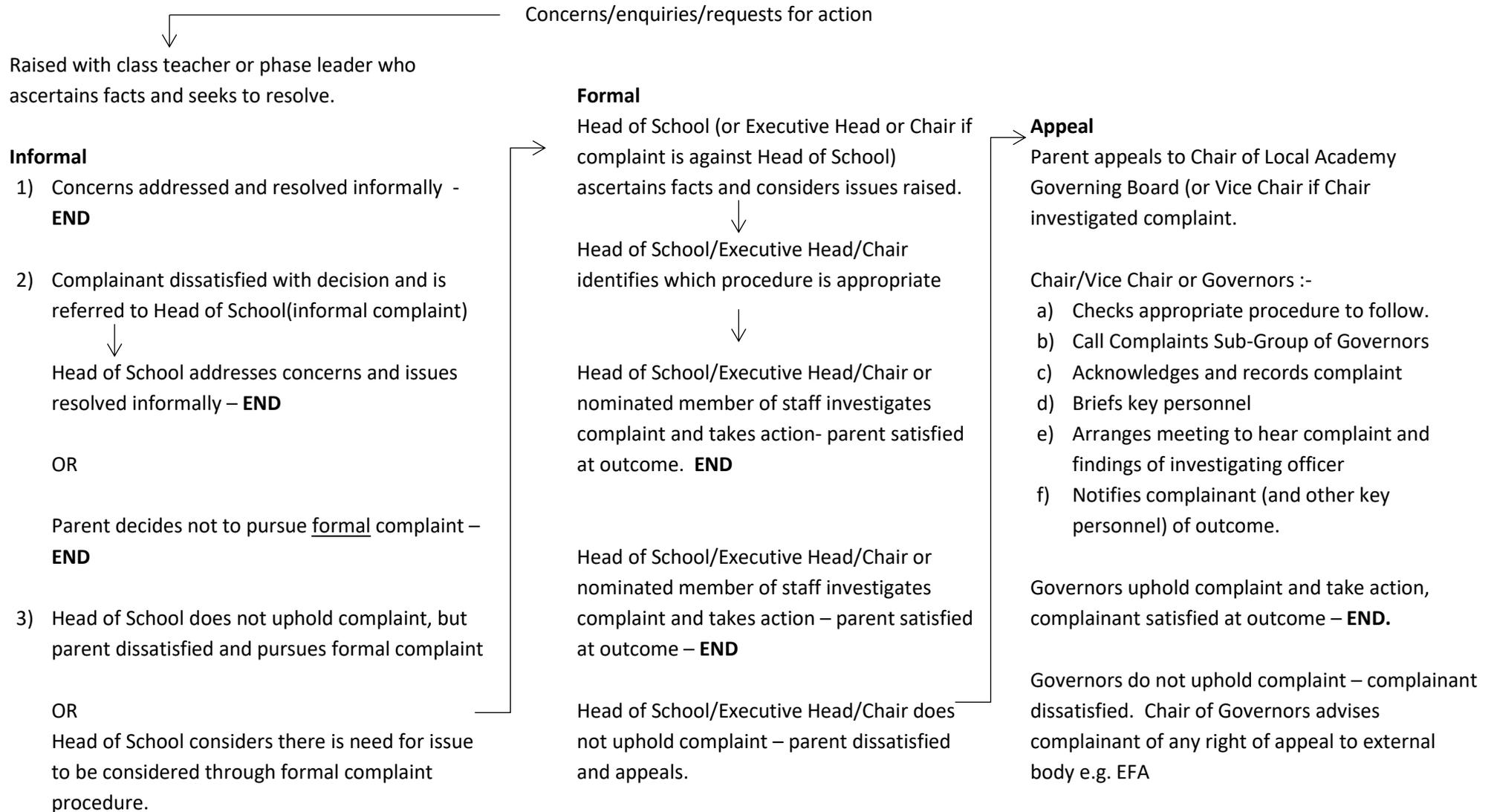
8.1 The Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout each Academy in the Trust.

8.2 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly.

8.3 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

**FLOW CHART FOR COMPLAINTS RAISED AT ACADEMIES WITHIN THE REDDITCH RSA ACADEMIES TRUST**

**ANNEX A**



## **Abbeywood First School and Church Hill Middle School RSA Academies**

### **Specific Allegations**

#### **Dealing with Allegations of Abuse against Teachers and Other Staff**

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in an educational environment is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is subject to the allegation. It is important that staff, students and parents/carers are able to raise concerns and are listened to and taken seriously.

#### **Allegations made to the Academy**

Where an allegation is made to, or by, a member of staff it should be reported immediately to the Head of School. If the allegation involves the Head of School it should be reported directly to the Executive Head or Chair of Governors. In the absence of the Head of School, the allegation should be reported to the Deputy Head Teacher, unless the allegation is about the Deputy Head Teacher, in which case it should be reported directly to the Executive Head or Chair of Governors. If the allegation meets any of the following criteria, the Head of School/Chair of Governors should report it to the Local Authority (LA) designated officer on the same day:

- A member of staff has behaved in a way that has harmed a child, or may have harmed a child
- A member of staff has possibly committed a criminal offence against or related to a child
- A member of staff has behaved towards a child or children in a way that indicates he or she is unsuitable to work with children.

The Head of School, via consultation with the Named Person for Child Protection and the Chair of Governors, will make a decision whether or not the member of staff should continue to work with children during the investigation. The Academy is mindful of the need to safeguard and protect children's welfare whilst also protecting the adult's right to protection against false allegation.

Suspension will be considered in any case where:

- there is cause to suspect a child is at risk of 'significant harm'
- the allegation warrants investigation by the Police, or is so serious that grounds for dismissal are being considered. Suspension will not be automatic; the Academy will consider whether the result that would be achieved by suspension could be obtained by alternative arrangements. The power to suspend is vested in the Head of School and the Governing Body

## **Record Keeping**

It is important that a clear and comprehensive summary of any allegations made be retained in the member of staff's confidential personnel file. This summary should include:

- details of how the allegations were followed up and resolved
- a note of any action taken
- decisions reached

A copy should be provided to the member of staff concerned. The summary should be retained at least until the member of staff has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

## **Allegations made to the Police or Children's Social Care**

If an allegation is made to the Police it should be reported to the designated officer who in turn should inform the LA designated officer.

If the allegation is made to Children's Social Care, the person who receives it should report it to the LA designated officer.

## **Initial Consideration**

The LA designated officer will discuss the matter with the Head of School and obtain further details of the allegation and the circumstances in which it was made. The Head of School should also consider whether there is evidence/information that establishes that the allegation is false or unfounded.

If the allegation is patently not false and there is cause to suspect that a child is suffering, or is likely to suffer significant harm, the LA designated officer will immediately refer to Children's Social Care and ask for a strategy discussion to be convened immediately.

If there is no cause to suspect significant harm is an issue, but a criminal offence might have been committed, the LA designated officer should immediately inform the Police and convene a similar discussion to decide whether a Police investigation is needed. That discussion should also involve the Academy and any other agencies involved with the child.

Even in the case where an allegation appears to be less serious, it is important that the LA designated officer is informed. An allegation may be considered so serious that there will be immediate referral to Children's Social Care and/or the Police.

### **Action following Initial Consideration**

Where the initial consideration decides that the allegation does not involve a possible criminal offence, the employer must deal with the matter. If the nature of the allegation does not require formal disciplinary action, the Head of School will institute appropriate action within 3 working days.

If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Where further investigation is required to inform consideration of disciplinary action, the Head of School and the Deputy Head Teacher will discuss with the LA designated officer who will undertake the necessary action. In some circumstances it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the Academy.

The investigating officer should aim to provide a report to the employer within 10 working days. On receipt of the report of the disciplinary investigation, the Head of School and Chair of Governors should consult the LA designated officer within 2 working days to decide whether a disciplinary hearing is needed. If such a hearing is required, it should be held within 15 working days.

Where Children's Social Care has undertaken enquiries to determine whether the child or children are in need of protection, the Head of School and Chair of Governors should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action. The LA designated officer should continue to liaise with the Academy to monitor progress of the case and provide advice/support when required/requested.

In the case of the allegation being made against a supply teacher, or a contractor, or a volunteer from a voluntary organisation, the Academy may not be involved in disciplinary procedures, but will be involved and cooperate in an investigation. This investigation will reach a decision whether to continue to use the person's services, or to provide the person for work with children in the future, and whether to report to the Department for Education (DfE).

### **Supporting those involved**

Parents or carers of a child or children involved should be advised of any allegation/s as soon as possible. Parents/carers should also be kept informed regarding progress on the case and should be informed of the outcome where there is a criminal prosecution or a disciplinary hearing.

The Academy should also inform the person who is the subject of the allegation and provide regular updates on the status of the case to that person. If the Police or Children's Social Care are involved, the Head of School will not do this until advised to do so by these agencies.

Any child/children making an allegation against a member of staff, will be offered a 'support person' from within the Academy who is impartial to the formal proceedings. Where the allegations are unfounded, the Academy will not necessarily take the view that the allegations were false. Behaviour may have been misinterpreted. In this case, the LA designated officer should refer the matter to Children's Social Care to determine whether or not the child concerned is in need of support from external services, or may have been abused by others. The Academy will continue to provide support to child/children in these circumstances. Any member of staff facing an allegation will be offered a

'support person' from within the Academy who is impartial to the investigation. This is in addition to the external statutory right to professional representation.

### **Confidentiality**

Every effort must be made to guard confidentiality and to protect against any undue publicity.

### **Resignations and 'Compromise Agreements'**

Allegations must be investigated even in situations where a member of staff tenders their resignation. A 'compromise agreement' will not be used in the case of allegations.

### **Case subject to Police Investigation**

If a criminal investigation is required, the Police will aim to complete their enquiries as quickly as possible consistent with a fair and thorough investigation and will keep the progress of the case under review.

A target date for the case review will be set. The review will include the progress of the investigation consultation with the Crown Prosecution Service (CPS). If the Police and/or CPS decide not to charge the individual with an offence, decide to administer a caution, or the person is acquitted by a court, the Police should wherever possible, aim to pass all information they have, which may be relevant to a disciplinary case, to the employer within 3 working days of the decision. In those cases, the employer and the LA designated officer should decide how to proceed.

If the nature of the allegation does not require formal disciplinary action, the Head of School will institute appropriate action within 3 working days.

If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Any case in which Children's Social Care have undertaken enquiries which are relevant to a disciplinary case should also be passed to the Academy.

If the person is convicted of an offence the Police must inform the employer straight away so that appropriate action can be taken.

**Stage 2 – Formal Complaint Form****Your personal details**

Your name:	
Your child's name:	
Your child's tutor group :	
Your address including postcode:	
Which school is your complaint regarding:	<ul style="list-style-type: none"><li>• Abbeywood First School RSA Academy</li><li>• Church Hill Middle School RSA Academy</li></ul>
Daytime telephone number:	
Evening telephone number:	
Email address:	

**Details of your complaint**

1. Please provide full details of your complaint, including relevant dates and persons concerned where possible in the box below. Continue on a separate sheet if necessary.

2. What action, if any, have you already taken to try and resolve your complaint? (who did you speak to and what was their response?). Continue on a separate sheet if necessary.

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3. How do you feel the problem could be resolved at this stage? Continue on a separate sheet if necessary.

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4. Are you attaching any paperwork? If so, please provide details. Continue on a separate sheet if necessary.

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Signed:

Date:

Thank you for completing the form and providing us with details of your complaint.

Please send in your completed form to the Head of School, care of the school reception or via the following email address:

Abbeywood First School RSA Academy      [office@abbeywood.worcs.sch.uk](mailto:office@abbeywood.worcs.sch.uk)

Church Hill Middle School RSA Academy      [office@churchhill.worcs.sch.uk](mailto:office@churchhill.worcs.sch.uk)

All paperwork will be held on file securely by the school.

RSA ACADEMY ARROW VALE

COMPLAINT FORM

Equal opportunities monitoring

Data Protection Act 1998

The Personal Data that you provide will be used for the purpose of monitoring that all groups of people are able to access and use the complaints procedure and that we treat people fairly. The information that you give will be held securely and in confidence.

**This information will not affect the way in which your complaint is handled. When you have filled in this form, please return it either with your complaint form, or if you prefer, after your complaint has been dealt with.**

- **Gender:** Are you  Female  Male
  
- **What age group do you fit into?** (please tick one box only)  
 Under 16     16 – 24     25 – 34     35 – 49     50 – 64     65 – 79     80+

- **What is your ethnic group?**  
Choose one section from 1) – e) and then tick the one box you think best describes your cultural or ethnic background.

a) **White**

- British
  
- Irish
  
- Any other white background  
*(please write in below)*

b) **Mixed**

- White & Black Caribbean
  
- White & Black African
  
- White & Asian
  
- Any other mixed background  
*(please write below)*

c) **Asian or Asian British**

- Indian
  
- Pakistani
  
- Bangladeshi
  
- Any other Asian background  
*(please write below)*

d) **Black or Black British**

- Caribbean
  
- African
  
- Any other Black background  
*(please write below)*

e **Chinese or other ethnic group**

Chinese

Any other

*(please write below)*

▪ **Do you consider yourself to be disabled or to have a long term health condition?**

Yes

No