



# **COMPLAINT POLICY**

**Adopted by the Trustees of the  
Leodis Academies Trust  
on 12 July 2016**

This policy should be used within the context of the vision and values of Leodis Academies Trust and the individual Academy. It sets out the procedure that all Academies within the Trust must adhere to. The policy is available to staff and parents electronically or on request.

We believe our Academies provide an excellent education for all our children, and that the Principals and other staff work very hard to build positive relationships with all parents and the local community. If you have a concern or complaint, please let the Academy know as soon as possible. We will carefully consider all feedback, whether positive or negative, and will review our policies and practices accordingly.

Our Academies aim to be fair, open and honest, and will aim to resolve any complaint through dialogue and mutual understanding and, in all cases, put the interests of pupils/students above all other issues. By following this policy our Academies provide sufficient opportunity for a complaint to be fully discussed, and then resolved.

We will treat all concerns and complaints seriously and courteously and will advise complainants and others of Academy procedures for dealing with their concerns. In return, we expect complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the Academy should not be expressed inappropriately or in front of pupils/students.

This procedure does not apply to, and should not be used for, statutory appeals in relation to:

Admissions

Exclusions

Statemnting for children with special educational needs.

Similarly, it should not be used for dealing with a complaint relating to:

Child protection

Staff discipline, capability or grievance

The Trustees are responsible for the overall Complaint Policy.

The Local Governing Board and Principal/Headteacher of each Academy are responsible for the implementation of the Complaint Policy.

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## 1. MAKING A COMPLAINT

### 1.1. Informal stage

- 1.1.1. Many concerns can be dealt with satisfactorily without the need to resort to a formal procedure. Initially, you should address your concerns to the relevant member of staff by telephone, email or letter, as detailed by each Academy on their website or in the student planner. Please see Appendix 1 for website addresses.
- 1.1.2. The Academy is committed to responding as quickly as possible and, following enquiries, we will contact you by telephone, in writing, or ask you to come into school. Please do not ask to see a member of staff without an appointment as it is unlikely they will be able to see you.
- 1.1.3. If you feel your concerns have not been addressed we will deal with the matter formally (Stage One).

### 1.2. Stage One – Referral to the Principal

- 1.2.1. You must put your complaint in writing or complete the form at Appendix 2. If you prefer you can pick up a copy of the form from Reception.
- 1.2.2. If your complaint is about the Principal you must put it in writing, addressed to the Chair of the Governing Board, marked private and confidential.
- 1.2.3. If your complaint is about a member of staff, it will be dealt with under the Academy's internal confidential procedures, as required by law.
- 1.2.4. An acknowledgement will be sent to you within **five school days**. The Principal will make sure a full investigation is carried out and normally a full response will be sent within **15 school days**. If this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
- 1.2.5. As part of our consideration of your complaint, you may be invited to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint. The Principal (or Chair of the Governing Board) may also be accompanied by a suitable person if they wish.
- 1.2.6. The response will include what action (if any) the Academy proposes to take to resolve the complaint or, if the complaint is not accepted, a full explanation as to why. You will be advised that if you are still not satisfied the next stage is an appeal to the Governing Board, which should be made in writing.
- 1.2.7. You have **15 school days** to consider the outcome of your complaint at Stage One and instigate Stage Two. If no request for a Complaint Review Panel is received within **15 school days** it will be deemed that the decision is accepted and the complaint will be closed.

### 1.3. Stage Two – Appeal to the Governing Board

- 1.3.1. If you are still not satisfied after Stage One, you can address your complaint to a Governors' Complaint Review Panel. This must be done in writing within **ten school days** of getting a response from the Principal or Chair of Governors and should give the reasons for requesting a review. The circumstances under which a review would be conducted include those where there is:
  - 1.3.1.1. a claim that material information was not taken into account in investigating the complaint. This does not include presentation of new material;
  - 1.3.1.2. a claim that procedures have not been properly applied in handling the complaint; or
  - 1.3.1.3. a claim that there has been an incorrect interpretation of Academy policy.
- 1.3.2. Disagreeing with the outcome at Stage One is not sufficient grounds for undertaking a review under this part of the procedure. The aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly.
- 1.3.3. A Complaint Review Panel will be convened within **20 school days**. The panel will comprise at least two Governors with no previous knowledge of your case and an additional person who is independent of the management and running of the Academy, and not a member of the Governing Board. The panel will not include teaching or staff Governors.
- 1.3.4. The Academy shall take reasonable steps to convene a panel hearing at a time and date mutually convenient to all parties. We will inform you at least **five working days** in advance, of the date, time and place of the meeting.
- 1.3.5. The Academy will seek to arrange a convenient time and date for the review hearing. However, where two attempts have been made to schedule a convenient hearing and it has not been possible to accommodate you, the Complaint Review Panel reserves the right to conduct the hearing in your absence and on the basis of the written evidence submitted by you. This is intended to ensure that your complaint is considered promptly and to avoid unnecessary delays.
- 1.3.6. You will be asked whether you wish to provide any further written documentation in support of your appeal. This should be submitted at least three days prior to the hearing.
- 1.3.7. You are entitled to attend the Panel hearing, and be accompanied. You should inform the Academy in advance if you intend to bring anyone to the hearing.
- 1.3.8. If it is necessary in the interests of ratifying the investigative process, the complaint investigator may, with the agreement of the Chair of the Panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.

1.3.9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

1.3.10. The appeal procedure is as follows:

1.3.10.1. You and the Academy representative will enter the hearing together.

1.3.10.2. The Chair of the Panel will introduce the panel members and outline the process.

1.3.10.3. You will explain your complaint.

1.3.10.4. The Academy representative and panel may question you.

1.3.10.5. The Academy representative will explain the Academy's actions.

1.3.10.6. You and the panel may question the Academy representative.

1.3.10.7. The Chair will explain that both parties will hear from the panel within five school days.

1.3.11. The panel can:

1.3.11.1. dismiss the complaint in whole or in part;

1.3.11.2. uphold the complaint in whole or in part;

1.3.11.3. decide on the appropriate action to be taken to resolve the complaint; or

1.3.11.4. recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

1.3.12. The panel will inform you and the Academy of their decision within **five school days**.

1.3.13. If you are still not satisfied with the decision, you can refer the matter to the Education Funding Agency (Stage Three).

#### **1.4. Stage Three – Referral to the Education Funding Agency**

1.4.1. The Education Funding Agency will consider a complaint if it falls into one of the following areas:

1.4.1.1. undue delay or where the Academy did not comply with this policy when considering a complaint;

1.4.1.2. where the Academy is in breach of its funding agreement with the Secretary of State; or

1.4.1.3. where the Academy has failed to comply with any other legal obligation, unless there is another organisation better placed to consider the matter.

1.4.2. You can contact the Education Funding Agency:

1.4.2.1. at [www.education.gov.uk/help/contactus/dfc](http://www.education.gov.uk/help/contactus/dfc); or

1.4.2.2. by post: Education Funding Agency  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

## **2. RECORD OF COMPLAINT**

- 2.1. The Principal or Chair of Governors will keep a record of your complaint, including records of meetings and interviews held in relation to it, and the Academy's decision.
- 2.2. The Trustee Board will be informed of any complaint which reaches Stage 2 of the process.

## **3. VEXATIOUS COMPLAINT**

- 3.1. There may be rare occasions when, despite all stages of the procedures having been followed, you remain dissatisfied.
- 3.2. If you try to re-open an issue which has already been dealt with under this policy, the Chair of the Governing Board for the Academy will inform you in writing that the procedure has been exhausted and the matter is closed. Where further correspondence is received on the same matter, this may be considered vexatious and there will be no obligation on the part of the Academy to respond.

**WEBSITE ADDRESSES**

**East Ardsley Primary Academy**

<http://www.eastardsley.leeds.sch.uk/>

**Hill Top Primary Academy**

<http://www.hilltopprimary.org.uk/>

**Westerton Primary Academy**

<http://www.westerton.leeds.sch.uk/>

**Woodkirk Academy**

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



## COMPLAINT FORM

|   |  |
|---|--|
| Academy   |  |
| Relationship with Academy<br>(for example, parent)  |  |
| Student(s) name(s)<br>(if relevant to your complaint)   |  |
| Your address  |  |
| Telephone number  |  |
| Email   |  |
| Details of complaint (including dates, names of witnesses if applicable)  |  |
|   |  |
| <i>Please continue on additional sheets if necessary</i>  |  |
| What action, if any, have you already taken to try and resolve your complaint – who have you spoken to or written to, and what was the outcome? |  |
|   |  |

What actions do you feel might resolve the problem at this stage?

If you are attaching any paperwork please give details?

Signature: Date:

**Official use**

Date acknowledgement sent:

By who:

Complaint referred to:

Date: