

Littleton Primary Academy and Nursery Honiton

Policy	Compliments, Concerns and Complaints Policy.		
Applies to	All stakeholders of the school		
Policy approved	<i>April 2016</i>	Next Review	<i>When required</i>

This policy and all other documents relating to this policy are available in other formats on request.

1. Scope of this policy

1.1. This policy sets out the Academy's procedures for dealing with compliments, concerns and complaints relating to the services provided by the Academy. It may be used by anyone who has a compliment, concern or complaint about any aspect of the Academy, including parents and carers of pupils.

1.2. This policy does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- Staff grievances or disciplinary procedures
- Admissions
- Exclusions
- Issues related to child protection or criminal investigations
- Any community facilities or services provided by the Academy

1.3. There may be occasions where a concern or complaint gives rise to disciplinary procedures against a staff member which put the procedures detailed in this policy on hold. If and when this occurs, the individual who has a concern or complaint will be informed. Any non-disciplinary aspects of the concern or complaint will continue to be dealt with under this policy.

2. Aims and objectives

2.1 The Academy strives to provide an outstanding education for all our children and the Principal and other staff work hard to build positive relationships with all children, parents/carers and the wider community.

2.2 We always welcome positive feedback about the Academy, its staff and its pupils. However, we recognise that there may be times when an individual may be unhappy with the services provided by the Academy, has a concern relating to the Academy or may want to make a suggestion about how we can improve.

2.3 The Academy aims to:

- Be receptive to genuine expressions of dissatisfaction
- Encourage the resolution of problems by informal means wherever possible
- Deal with complaints quickly, proportionately and fairly and within clearly defined time limits

- Take action as a result of concerns or complaints that helps to improve the quality of the education and training provided by the Academy
- Take account of the Academy's duty to promote equality and diversity
- Maintain good working relationships between all people involved with the Academy

Compliments procedure

3.1 An individual wishing to make a compliment about a pupil, staff member, team or the Academy can do so either:

- In person to administrative staff, teaching staff, senior teaching staff, Governors or the Principal
- By letter or email to the Principal or the Chair of Governors

3.2 The compliment will be passed on to the relevant individual(s) and their line manager or, in the case of a pupil, their class teacher.

4. Managing Concerns and Complaints

4.1 The Academy strives to resolve all concerns and complaints informally and all matters of concern and complaint should first be raised under Stage 1 of this policy. Only if this informal procedure fails to resolve the matter should a formal complaint be made.

4.2 Any individual with a concern or complaint may be accompanied or represented by a friend or relative at discussions and meetings about the concern or complaint and/or submit formal complaints which have been written by another individual on their behalf.

4.3 At each stage, where a concern or complaint is upheld, in part or in full, it may be appropriate for the Academy to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the issue complained of will not recur
- an explanation of the steps that have been or will be taken to ensure that the issue will not happen again
- an undertaking to review the Academy's policies in light of the concern or complaint

4.4 At each stage, if all or part of a concern or complaint is not upheld or the matter is not resolved to an individual's satisfaction, the individual may either choose to take no further action or to take their concern or complaint to the next stage.

4.5 We aim to resolve any concerns or complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. If it becomes necessary to alter the timescales set out within this policy, the individual with the concern or complaint will be told and given an explanation as to why this has been the case. For the purposes of this policy, a "school day" is defined as a weekday during term time, when the Academy is open and excludes weekends and Bank Holidays. Term dates are published on the Academy's website, and information about term dates are made available to parents and pupils periodically.

4.6 At all stages of the complaints procedure, the following information should be recorded by the Academy in writing:

- The name of the individual with the complaint or concern
- The date and time when the concern or complaint was raised
- The details of the complaint
- The desired outcome of the individual
- How the concern or complaint is investigated (including written records of interviews held)
- Results and conclusions of investigations
- Any action taken
- The individual's response (satisfaction or further pursuit of complaint)

In the case of concerns raised under Stage 1 of this procedure, the person dealing with the matter should normally record the concern and its resolution on the set pro forma attached at Annex A. Any letters or additional information should also be attached to the form. The form should be signed by the Team Leader and the Team Leader should refer the matter to the Principal if they feel a further enquiry or response is needed.

4.7 Records of concerns and complaints should be retained in the administrative office of the Academy for the periods specified in the Academy's policy on record retention and be used by the Academy to improve the Academy's services.

4.8 If, at any stage, the Principal or Chair of Governors feels that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Principal or Chair of Governors may write to the individual to refuse to consider their concern or complaint under this policy and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this policy.

5. Stage 1: Informal procedure for dealing with concerns and complaints

5.1 An individual can raise informal concerns and complaints with administrative staff, teaching staff, senior teaching staff, Governors or the Principal. If a parent/carer has concerns relating to their child, these should, in the first instance, be discussed with their child's class teacher.

5.2 The member of staff approached about the concern or complaint may share the details of the matter with others to seek further information or to decide on the appropriate action to be taken.

5.3 The matter will be considered and dealt with as quickly and effectively as possible. If requested, the individual who raised the concern or complaint should be informed of any action to be taken to resolve the issue.

5.4 Where an individual feels that a situation has not been resolved, or their concern or complaint is of a sufficiently serious nature, they should make an appointment to discuss the matter informally with the Principal.

5.5 The Principal will meet with the individual as soon as possible to discuss their concern or complaint. If it is possible, an informal resolution should be reached and the individual who raised the issue should be informed of any action to be taken to resolve the issue.

5.6 Should an individual have a concern about the Principal, the steps under 5.4 and 5.5 should, instead, be dealt with by the Chair of Governors.

6. Stage 2: Formal complaint to the Principal

6.1 Only if Stage 1 fails to resolve the matter should a formal complaint be made to the Principal. The Academy is not obliged to consider a formal complaint if the Stage 1 informal procedure has not been followed.

6.2 The complainant must submit their complaint to the Principal in writing, stating the nature of the complaint and details of how the matter has been dealt with so far. The letter should enclose copies of all supporting documentation.

6.3 The Principal should formally acknowledge the complaint within **five school days** of receipt.

6.4 The Principal will investigate the complaint and review any relevant documentation and information. The Principal may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. If necessary, the Principal will interview witnesses and take written statements from those involved. When pupils are interviewed, another member of staff should always attend.

6.5 The Principal may delegate the task of collating information relating to the complaint to another member of staff but not the decision on the action to be taken.

6.6 The Principal will provide the complainant with a full written response within **fifteen school days** of acknowledging the complaint. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken. The letter should state that if the complainant is dissatisfied with the response and would like to take their complaint further, they should consult this policy.

6.7 Should an individual have a concern or complaint about the Principal, Stage 2 should, instead, be dealt with by the Chair of Governors. Where it is not possible for the Chair of Governors to undertake this role, for example, because the Chair of Governors has had prior involvement in the complaint or the circumstances surrounding it, the Chair of Governors may appoint another Governor to deal with Stage 2.

7. Stage 3: Review by the Complaints Committee

7.1 If the complainant wishes to appeal against a decision made under Stage 2, they should make a written request for a review by the Complaints Committee. This letter should be sent to the Academy,

addressed to the Chair of Governors, within **fifteen school days** of receipt of the decision letter from the Principal under Stage 2. The letter should enclose copies of all supporting documentation and give details (including names and addresses) of any witnesses the complainant intends to call.

7.2 The review will be heard by a Complaints Committee consisting of between two and four Governors who have had no prior involvement in the complaint or the circumstances surrounding it and an Independent Member, being a person who is independent of the Academy and who does not have any connection with the Academy or with any person employed by the Academy of a kind which might reasonably be taken to raise doubts about their ability to act impartially.

7.3 The Chair of Governors will acknowledge receipt of the appeal letter within **five school days** of receiving it. This letter will inform the complainant that their complaint will be heard by a Complaints Committee.

7.4 Within **fifteen school days** of the written complaint being received, the Clerk to Governors should formally write to the complainant, the Principal and any other relevant staff or witnesses and inform them:

- of the date, time and venue of the review
- the aims and objectives of the review and how it will be conducted
- the names of the Complaints Committee members
- the names of any witnesses that will be attending
- that any documentation they wish the Complaints Committee to consider, including signed and dated witness statements, must be returned to the Clerk to Governors no later than **five school days** before the review
- that copies of any documentation, including signed and dated witness statements, will be provided to the other party no later than **three school days** before the review
- of the right for any party to be represented if they wish
- how and when the Complaints Committee will reach their decision

7.5 Subject to the need to deal with complaints quickly, proportionately and fairly, the Clerk to Governors will use all reasonable endeavours to ensure that the dates and times for the review are convenient to all parties and that the venue and proceedings are accessible.

7.6 Notes will be taken of the meeting by the Clerk to the Governors or another appropriate third party who has no prior involvement in the complaint or the circumstances surrounding it.

7.7 The review should allow each party involved to explain their understanding or interpretation of events and for other parties to question them. The review will, usually operate according to the following format:

- The Chair of Governors will introduce all parties to one another and explain the principles, objectives and format of the review. The complainant will be given the opportunity to explain their complaint
- The Principal and the Complaints Committee will be allowed to ask the complainant questions
- The Principal will be given an opportunity to explain the Academy's official response, interpretation or view about the complaint
- The complainant and Complaints Committee will be allowed to question the Principal
- Every party will be given the opportunity to call witnesses and question witnesses called by other parties
- The Principal and the complainant will both be given the chance to make final Statements

7.8 After hearing all the evidence, the Complaints Committee will consider their decision and inform both parties of their decision in writing within **five school days**.

7.9 The Complaints Committee can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not reoccur

7.10 Should the complaint be about the Chair of Governors or be about the Principal and the Chair of Governors was involved with Stages 1 or 2 of this policy, the letter of complaint should be addressed to the Clerk to the Governors, who will arrange for another Governor to manage the complaint in the place of the Chair of Governors.

8. Stage 4: Referral to the Secretary of State

8.1 If the complainant is not satisfied with the review under Stage 3, they are entitled to refer their complaint to the Young Peoples Learning Agency (YPLA) who will consider the complaint on behalf of the Secretary of State in accordance with YPLA's 'Procedure for dealing with complaints about Academies'. A copy of the procedure in force at the time of preparing this policy is attached at Annex B.

ANNEX A

Informal Compliments and Complaints Record

Compliment/Complaint (please delete as appropriate)

Name of member of staff	
Name of person reporting complaint/compliment	
Date	
Details of complaint & action/response taken	
Signed by Team Leader	
Referred to Headteacher/Principal	
Additional information attached	

ANNEX B

Young People's Learning Agency Procedure for dealing with complaints about Academies

Introduction

The Young Peoples Learning Agency (YPLA) carries out certain functions in relation to Academies on behalf of the Secretary of State. One of the main functions is to ensure that Academies comply with the Funding Agreement entered into with the Secretary of State. If any complaints or concerns arise in relation to breaches of the terms of Academies' Funding Agreements then the YPLA will seek to resolve these with an Academy without the need for parents and pupils to make a formal complaint. However there will be issues where parents of pupils at Academies and pupils themselves have complained to the Academy and such complaints have been considered by the Academy in accordance with its complaints procedure and this has failed to resolve the matter. In these circumstances the complainant can complain to the YPLA and the complaint will be considered in accordance with this procedure.

Key Principles

- 1 The YPLA and Academies should be receptive to genuine expressions of dissatisfaction.
- 2 Complaints should be dealt with promptly, fairly and proportionately.
- 3 Action taken as a result of complaints should help to improve the quality of the education and training provided by Academies.
- 4 In dealing with complaints, the YPLA will take account of its duty to promote equality and diversity.

Academies

5 Academies are required to have published a procedure for dealing with complaints by parents or pupils, which must be made available on request.

This procedure must provide for complaints to be managed within clear timescales. If initial informal consideration does not resolve the complaint then the procedure must also include steps to escalate a complaint through a written stage and if necessary an appeal hearing before a panel that includes at least one member who is independent of the Academy. The procedure should also set out the detail of the process and named individuals who will be responsible for receiving and dealing with the complaint.

Academies should ensure parents and pupils understand all details of the complaints procedure and make complaints information available in other formats (Braille, large print, other languages etc).

7 Academies should ensure that parents are provided with relevant contact details for the YPLA when a complaint has not been resolved by the Academy.

8 The YPLA will not usually investigate complaints until the Academy's own complaints procedure, including any appeal, has been exhausted. When the YPLA has reason to believe that the complaint was made to the Academy and the Academy has had reasonable opportunity to investigate and respond but has failed to do so or that there are circumstances which mean it is not reasonable for the matter to be brought to the attention of the Academy, then the YPLA may decide to investigate before the Academy's procedure has been exhausted.

Procedure for dealing with complaints about Academies

Who will investigate:

9 Complaints about Academies will be investigated by the Academies directorate in the YPLA in consultation with the Legal and Governance Team.

10 Complaints about Academies should be addressed to the YPLA Academies Central Unit. Please see **Annex C** for contact details.

When the YPLA will investigate:

11 The YPLA will investigate complaints about:

- undue delay or non-compliance with published complaints procedures;
- allegations that the Academy has acted unlawfully or failed to comply with a contractual duty imposed on it under its Funding Agreement with the Secretary of State or any other legal obligation.

When the YPLA will not investigate

12 **We will not investigate** complaints about:

- examination results or curriculum content where a more appropriate form of redress would be the examining body or Ofqual;
- statements of special educational needs where there is an appeal to the First-tier Tribunal (SEND);
- matters that are the subject of legal action.

13 We will not usually investigate complaints more than twelve months after the decision or action was taken.

14 We reserve the right not to investigate complaints considered to be vexatious or malicious or where we are satisfied with the action that the Academy has already taken or proposes to take to resolve the complaint.

What the YPLA will do:

15 On receipt of a complaint we will check:

- the matter is one which the YPLA can investigate;
- if the decision or action complained about occurred more than 12 months ago. Where this is the case the YPLA will not normally investigate, unless the complainant has good reason for the delay in making the complaint.

16 Within five working days of receipt of a complaint we will acknowledge receipt and send a copy of this procedure to the complainant. The complainant should be told whether the complaint is one which the YPLA will investigate.

17 If the YPLA is to investigate the matter, the complainant will be asked to provide:

- details of their complaint in writing, by email or fax (if this has not already been provided);
- confirmation that the Academy's complaints procedure has been exhausted;
- permission to disclose details of their complaint to the Academy concerned.

18 If the complainant has difficulties in providing details in writing, we will consider alternative ways of receiving the information.

19 Within fifteen working days of receipt of the written complaint we will prepare a summary of the complaint to be sent to the complainant for approval. The complainant will be given ten working days to provide any response to this document.

20 The YPLA will consider any response from the complainant and, if appropriate, amend the summary of the complaint before sending this to the Academy. The Academy will be asked to provide within ten working days:

- details and copies of the relevant procedures where appropriate;
- confirmation that its procedures have been exhausted;
- a response to the summary of the complaint together with relevant documentation;
- confirmation that the information provided can be shown to the complainant.

21 If, at any stage, the YPLA is satisfied that procedures at the Academy have not been properly exhausted we will usually write to the parties to indicate that we will not investigate the matter further. Where the YPLA judges that the Academy has unduly delayed in resolving the complaint, or that there is no prospect of the Academy resolving the complaint within a reasonable timescale, the YPLA may continue to investigate.

22 On receipt of documentation and response from the Academy we will provide the Academy's response to the complainant and seek confirmation within five working days as to whether the complainant remains dissatisfied.

23 If the matter has not been resolved within twenty working days of agreeing the summary with the complainant, we will consider each aspect of the summary of complaint and determine whether, on the balance of probabilities, the complaint should be upheld.

24 If the YPLA cannot resolve the position on the information available, we will arrange for the parties to be contacted to obtain such further information as is required. The information received and notes of any meeting will normally be disclosed to both parties.

Once a provisional decision has been made in relation to the complaint, draft findings will be sent to the parties providing them with an opportunity to respond within fifteen working days.

26 Responses will be considered before the YPLA confirms the findings. This document will be finalised within five working days and sent to the parties. This concludes the investigation.

27 If at any point during the investigation, the YPLA encounters a delay in responding to/providing correspondence, the complainant will be notified of the delay and be given details of when a response will be provided.

What action the YPLA can take

28 If the YPLA finds that the Academy has breached the terms of the Funding Agreement, we will ask the Academy to take action to resolve the matter.

Such actions may include:

- ask the Academy to review its procedures to ensure non-recurrence;
- ask the Academy to review its decision in the individual case.

If the Academy does not comply, the Secretary of State may, if appropriate, seek to enforce the terms of the Funding Agreement through the Courts.

If the complainant remains dissatisfied

29 If a complainant is dissatisfied with the way in which the YPLA has dealt with their complaint against an Academy, the complainant may complain to the Secretary of State

Annex C – Contact details for Academies Complaints

Email: academiesenquiries@ypla.gov.uk

By post: YPLA Academies Central Unit
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Telephone: 0845 337 2000
Ask for the YPLA Academies Central Unit