



HOLY TRINITY
Church of England Academy
Brockley Avenue, South Shields, Tyne and Wear NE34 0TS

Complaints Procedure

Introduction

Holy Trinity CE Academy is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible. All school staff will be made aware of complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

This policy does not apply to complaints about:

- **Pupil admissions**
- **Pupil exclusions**

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our pupils, read our **child protection and safeguarding policy**, and the **allegations of abuse against staff** policy.

*These policies can be found on the school website or from the school office.

1. When an issue or concern first arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You will then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's form tutor first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further or referred back to in the future – what the initial problem was.

If the complaint is about a member of staff then the concern should be raised first of all with the Headteacher either in person or in writing, and a meeting will be arranged with the Headteacher to discuss the issue.

If the complaint is about the Headteacher the concern should be raised in writing with the Chair of the Governing Body.

If the complaint is about a Governor the concern should be raised in writing with the Clerk to the Governing Body.

The Chair of Governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the involvement of the Governing Body at this point.

1.2 Initial informal meeting

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the headteacher/chair of governors to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

2. Formal complaints

In order to ensure that complaints are processed efficiently and effectively, Holy Trinity CE Academy deals with formal complaints in three stages:

Stage 1

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the headteacher.

The headteacher should acknowledge your complaint in writing within 5 working days. She may already be aware of the situation. She will outline her decision if there is one to be made, and any action to be taken as a result of your complaint.

The headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If the complaint is against a member of staff, the headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff policy** for an outline of this procedure.

The headteacher will respond to you in writing within 10 working days outlining her response to your concern, and any action that has or will be taken. If she has decided not to take any further action on the issue, she will explain what she has decided, how she has reached this decision, and will outline your right to take the matter further and the steps to be taken.

Stage 2

If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint, you may lodge your complaint with the chair of governors in writing, explaining your complaint and the steps that have lead up to you taking this course of action.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 5 working days of the complaint being lodged with them.

The chair of governors will respond to you in writing within 10 working days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

3. Appeals

Stage 3:

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the **appeals panel of the governing body**. You should write to the clerk to the governing body to

exercise this right. The clerk to governors will acknowledge your appeal and make the necessary arrangements, and will usually convene the appeal panel within 5 working days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, a further timescale will be agreed with you.

The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents.

The appeals panel

The appeals panel will be made up of members of the governing body. No member of the governing body can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The panel will consist of 3 or 5 governors and a chair will be nominated from within that group. All panel members will be familiar with and have access to the complaints policy.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

Appeals procedure

The procedure for an appeal is as follows:

- 1. The complainant and headteacher will enter the hearing together.**
- 2. The chair will introduce the panel members and outline the process.**
- 3. The complainant will explain the complaint.**
- 4. The headteacher and panel will question the complainant.**
- 5. The headteacher will explain the school's actions.**
- 6. The complainant and panel will question the headteacher.**
- 7. The complainant will sum up their complaint.**
- 8. The headteacher will sum up the school's actions.**
- 9. The chair will explain that both parties will hear from the panel within 5 working days.**
- 10. Both parties will leave together while the panel decides.**
- 11. The clerk will stay to assist the panel with its decision making.**

The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 5 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body and will set out any further rights of appeal.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint

- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2nd Floor, Piccadilly Gate, Manchester M1 2WD.

4. Vexatious complaints

Whilst it is hoped that this policy will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints policy.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

5. Governing Body – review and monitoring of complaints

Holy Trinity CE Academy will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

The governing body will review the complaints policy every *three* year(s).

5. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **Whistleblowing Policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's Staff Conduct or Staff Grievance Policy. These are available on the staff shared area or from the school office.

Contact details

Headteacher: Mrs Tina Murphy c/o Holy Trinity CE Academy

Chair of Governors: Mr David Pickersgill c/o Holy Trinity CE Academy

Clerk to the Governing Body: Mrs C Henderson

**Head of School Governor Support
Town Hall and Civic Offices, Westoe Road,
South Shields, South Tyneside.
Tel: 0191 4271717**