



CENTRAL POLICIES

COMPLAINTS PROCEDURE

COMPLAINTS PROCEDURE

Introduction

This document is for parents/carers with children registered as pupils at Temple Grove Academy Trust's academies and sets out the Trust's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the academy or the education provided, you are encouraged to discuss the matter first with your child's class teacher at the earliest opportunity. If you feel you may have difficulty in discussing the matter with a particular teacher you should ask the Headteacher to refer it to another member of staff to consider your concerns with a view to resolving the issue. The Trust and the academy consider any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, copies of which can be obtained from the academy's office.

All other complaints are handled by the academy according to the arrangements set out below.

Aims and Objectives

The academy will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Our Procedure Aims to:

- be easily accessible and publicised
- be simple to use and understand
- 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, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the academy's senior management team, and where applicable the Trust, so that services can be improved.

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion with the class teacher or Headteacher and you wish to have the matter formally investigated, this process begins with the completion of a complaints form, which you will find at the end of this pack. If you would like help completing the form, the academy will be happy to provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Headteacher if the concern/complaint is under the Headteacher's responsibility or (b) The Chair of the Local Governing Body if the concern/complaint is under the Governing Body's responsibility, (these are indicated below). The complaint form should be returned to the academy office, marked Confidential, for the attention of either the Headteacher or Chair of Governors as appropriate. The Headteacher/Chair of Governors will acknowledge in writing receipt of the complaint form within three working days after receiving it and will enclose a copy of the academy's complaints procedure with the acknowledgement.

If the matter is about:

- the day-to-day running of the academy
- the interpretation of the academy/Trust policies
- the actions or inactions of staff at the academy

These are concerns/complaints under the Headteacher's responsibility and will be investigated by the Headteacher. *See D1 for flowchart.*

If the matter is about:

- Trust/academy policies as determined by the Trustees/Local Governing Body
- the actions or inactions of the Trust/Local Governing Body
- the Headteacher

These are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors/a governor nominated by the Chair/a Trustee. It may be necessary to appoint an independent investigator in certain circumstances. *See D2 for flowchart.*

Stage 2

If the concern/complaint has been investigated by the Headteacher then Stage 2 of the formal procedure will begin with the complaint form being passed to the Chair to review whether the complaint has been properly dealt with (see flow chart A1). If the concern/complaint has been investigated by the Chair, the complaint form passes to the Chair of Trustees (see flow chart A2).

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be

notified if this is the case with your complaint, but we will not be able to tell you which procedure or the final outcome.

Monitoring and Review

The Temple Grove Academy Trust monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the academy and records how they were resolved. Governors/Trustees examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

A copy of this procedure is available to all parents on request and is also available from the Academy Office.

/Cont...

A1. Complaint/Concern under Headteacher's Responsibility

Concern - Informal

Please raise your concerns with your child's classroom teacher or Headteacher, who will try and resolve the issue.



Resolved ?



Yes - No further action



No

Formal – Stage 1

You will be given copies of the complaints procedure and complaint form and offered support in completing the form. You will have 3 days to complete and return the form.



Formal – Stage 1

Form received by academy

Is complaint about areas of Headteacher's responsibility or Governing Body's responsibility?



Headteacher's responsibility –

Headteacher deals with matter or designates senior member of staff and writes to you with the outcome of the process within 10 working days of receiving the complaint



Resolved?



Yes. No further action



No. Complainant wishes to move to Stage 2 of the procedure and notifies the academy in writing within 10 working days.



Formal – Stage 2

Complaint form passes to the Chair of Governors, to review whether the complaint has been properly dealt with



Resolved?



Yes. No further action



No. Complainant is given copy of Procedure for Complaints Panel Hearing. A complaints panel is set up to consider the complaint within 10 working days of the complaint being passed to the Governing Body. It consists of 2 governors and 1 independent individual, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and the Headteacher



The panel meets to consider the complaint and make a final decision on behalf of the Governing Body.



Panel writes to complainant with its conclusion within 5 working days of the meeting



Resolved?



Yes. No further action



No. The complainant may decide to contact the Education Funding Authority if they feel the academy/TGAT has acted unreasonably or not followed the correct procedures

A2. Complaint/Concern under Governing Body's Responsibility

Concern - Informal

Complaint at academy level – complainant should try and resolve the problem with the academy



Resolved?



Yes. No further action



No.

Formal – Stage 1

You will be given copies of the complaints procedure and complaint form and offered support in completing the form. You will have 3 days to complete and



Formal – Stage 1

Form received by academy

Is complaint about areas of Head Teacher's responsibility or Governing



Governing Body's responsibility -

Chair deals with matter and writes to you with the outcome of the process within 10 working days of receiving the complaint



Resolved?



Yes. No further action



No. Complainant wishes to move to Stage 2 of the procedure and notifies the academy in writing within 10 working days. Complainant is given copy of Procedure for Complaints Panel Hearing.



Formal – Stage 2

Complaint form passes to the Chair of TGAT



A complaints panel is set up to consider the complaint within 10 working days of the complaint being passed to the Trust. It consists of 2 trustees and 1 independent individual, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and Chair of Governors (or designated governor)



The panel meets to consider the complaint and make a final decision on behalf of the Trusty.



Panel writes to complainant with its conclusion within 5 working days of the meeting



Resolved?



Yes. No further action



No. The complainant may decide to contact the Education Funding Authority if they feel the academy/TGAT has acted unreasonably or not followed the correct procedures

Procedure for conducting a Complaints Panel Hearing

The Complaints Panel operates according to the following formal procedures:

1. The complaints panel will comprise 2 governors and 1 independent individual who has no relationship to the leadership or management of the academy.
2. The Chair of the Complaints Panel will aim to arrange for the panel meeting to take place within 10 working days.
3. The Chair of the Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
4. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
5. The Chair of the Complaints Panel will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the academy; but we will do what we can to make alternative arrangements if you prefer.
6. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
7. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the academy. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
8. With the agreement of the Chair of the Panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting.
9. Witnesses will be invited to the hearing and give statements but withdraw once they have done so.
10. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
11. 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.

12. The Chair of the Panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
 13. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
1. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the academy's response from the Headteacher;
 - you to question the Headteacher about the complaint;
 - you to be questioned by the Headteacher about the complaint;
 - the panel members to be able to question you and the Headteacher;
 - any party to have the right to call witnesses (subject to the Chair's approval) and all parties to have the right to question all witnesses;
 - you and the Headteacher to make a final statement.
 2. In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself within five working days. All participants other than the panel and the clerk will then leave.
 3. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the Governing Body changes to the academy's systems, policies or procedures to address the issues raised.
 4. The Chair of the Panel will send you and the Headteacher a written statement outlining the decision of the panel within five working days. If you are not satisfied with the outcome you may appeal to the Education Funding Authority, details of which should be provided in the letter.
 5. We will keep a copy of all correspondence and notes on file in the academy's records but separate from pupils' personal records.

PERSISTANT COMPLAINANTS

Sometimes parents or carers pursuing complaints, or other issues, treat staff in a way which is unacceptable. Whilst the academy recognises some complaints may relate to serious and distressing incidents, Temple Grove Academy Trust will not tolerate threatening or harassing behaviour.

A persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents and carers who pursue complaints in an unreasonable manner and outside the procedure set out in this policy.

Unreasonable behaviour may include:

- actions which are out of proportion to the nature of the complaint, persistent (even when the procedure set out in this policy has been exhausted) personally harassing* or unjustifiably repetitious
- an insistence on pursuing unjustified complaints and/or unrealistic outcomes to justified complaints
- an insistence on pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language; making complaints in public; refusing to attend appointments to discuss the complaint)

* Harassment is the unreasonable pursuit of issues or complaints in a way intended to cause personal distress rather than to seek a resolution.

Temple Grove Academy Trust will respond to persistent complaints of harassment in the following manner:

- inform the complainant informally that his/her behaviour is now considered by the academy to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the academy considers his/her behaviour to be harassment;
- require all future meetings with a member of staff to be conducted with a second person present. Notes will be taken in these meetings;
- inform the complainant that, except in emergencies, the academy will respond only to written communication.

Temple Grove Academy Trust will not tolerate ANY form of physical or verbal aggression against academy staff.

Evaluation: TGAT Executive

Ratification: TGAT Board

This Review: June 2015

Next Review: June 2017

Signed:

APPENDIX 1

Temple Grove Academy Trust

Complaint Form page 1

Please complete this form and return it to the Head Teacher or Clerk to the Local Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:
Name of academy:
Relationship with the academy:
Pupil's name (if relevant to your complaint):
Your Address:
Daytime telephone number:
Evening telephone number:

Please give concise details of your complaint, (including dates, names of witnesses etc) to allow the matter to be fully investigated:
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You may continue on separate sheets or attach additional documents if you wish.

Number of additional pages attached to this form:

APPENDIX 1

Temple Gove Academy Trust

Complaint Form page 2

What action, if any, have you already taken to try and resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

Signature:

Date:

For academy use only
Date Complaint Form Received:.....
Received By:.....
Date of Acknowledgement sent:.....
Acknowledgement sent by:.....

Complaint referred to:			
Date:			

APPENDIX 2:

Temple Grove Academy Trust

Panel Review Request Form page 1

Please complete this form and return it to the Clerk to the the Local Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your address:

Daytime telephone number:

Evening telephone number:

Dear Sir/Madam

I submitted a formal complaint toAcademy on

and am dissatisfied by the procedure that has been followed.

My complaint was submitted to

and I received a response from

on

I have attached copies of my formal complaint and of the response(s) from the academy. I am dissatisfied with the way in which the procedure was carried out because:

You may continue on separate sheets or attach additional documents if you wish.

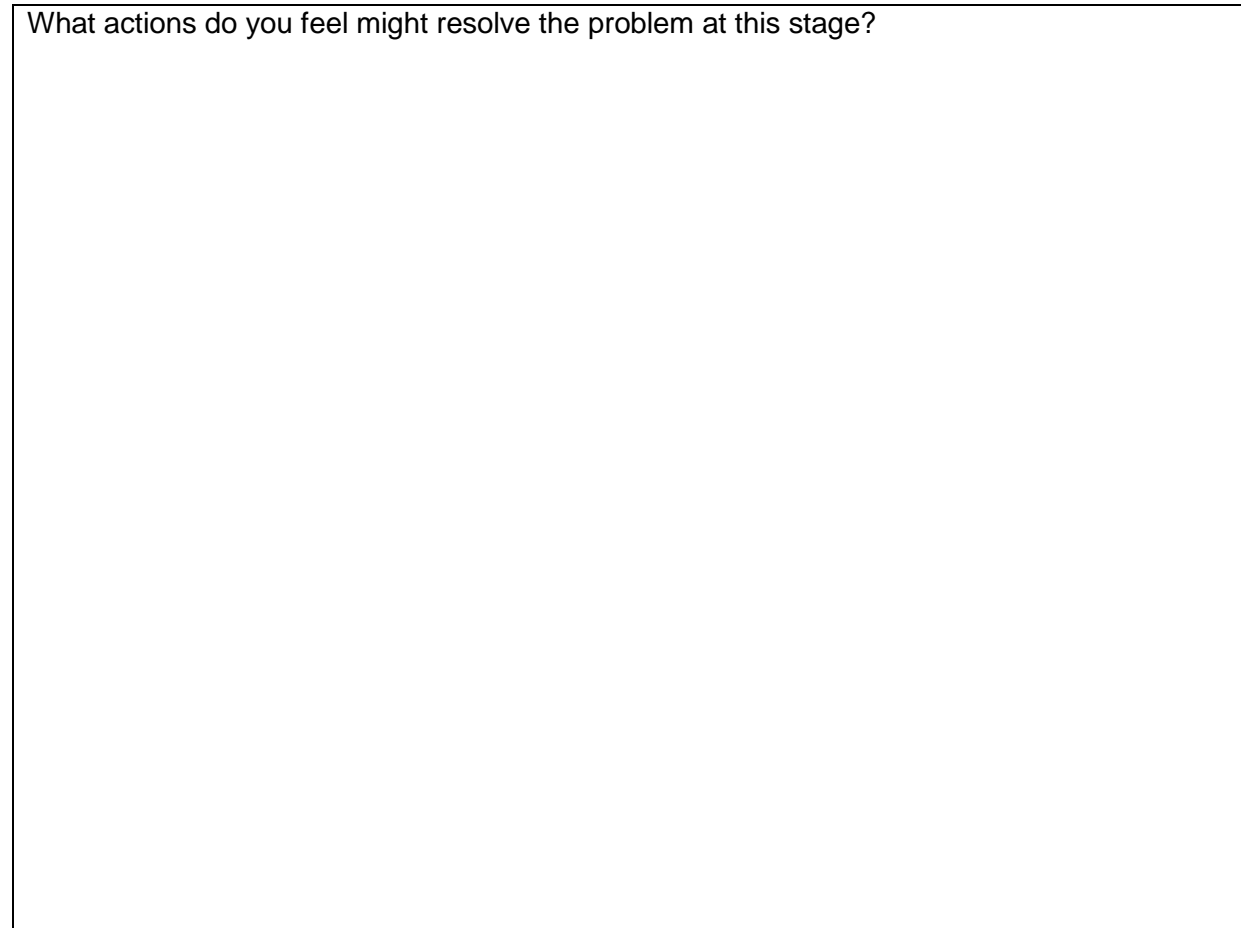
Number of additional pages attached:

APPENDIX 2:

Temple Grove Academy Trust

Panel Review Request Form page 2

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




Signature:

Date:

For academy use only

Date Review Form received:



Received by:

Date of Acknowledgement sent:

Acknowledgement sent by:

Policy Author	N Denoon Duncan
Group Responsible	TGAT Board of Trustees
Date Approved	Approved Sept 2016