



Phoenix Park Academy



# Complaints Policy

Issue No: 1

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Staff Responsible: SJ / PH

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## **COMPLAINTS POLICY**

We believe this policy relates to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2008
- Education (Independent Schools Standards) Regulations 2010
- Education (non-maintained Special Schools) Regulations 2011
- School Admissions ( Appeals Arrangements) (England) Regulations 2012

The following documentation is also related to this policy:

- Complaints About Ofsted: Raising Concerns and Making a Complaint about Ofsted (Ofsted)
- School Admission Appeals Code ( DfE)

We believe that this academy provides an excellent education and that the Executive Principal and all staff work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.

However, we are aware that under section 29 of the Education Act 2002 we must have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We are aware that under the Education Act 1996 parents have the right to complain directly to the Local Authority about any matter relating to the school's curriculum, any issue relating to the general education that we provide.

We have a duty to publish the complaints policy on the academy website with hard copies available from the school office. If a hard copy is requested, it will be provided within 10 working days of receiving a written request.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## Aims

- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To work with other schools and the Local Authority to share good practice in order to improve this policy.

## Responsibility for Procedure:

### Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- delegated powers and responsibilities to the Executive Principal to ensure all academy personnel and visitors to the academy are aware of and comply with this policy;
- responsibility of annually discussing the complaints log with the Executive Principal;
- in place a self-evaluation process to monitor the way complaints are dealt with;
- responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- the responsibility of involving the School Council in the development, approval, implementation and review of this policy;
- make effective use of relevant research and information to improve this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy

## **Role of the Executive Principal:**

The Executive Principal will:

- log all complaints received by the academy and record how they were resolved;
- discuss the complaints log every year with the Governing Body;
- ensure all academy personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy

## **Complaints Procedure:**

### **Stage 1 (Informal Stage)**

- Complainant has an informal discussion with the person closely involved with the complainants cause for concern or with their line manager. This will be the Assistant Principal (Head of Centre) within their setting for teaching staff / teaching assistants or the Academy Business Manager in the case of Admin or Facilities Staff.
- If after the discussion the matter is not resolved or if the complainant is not happy with the way that it has been handled then the process moves to the next stage.
- However, every effort should be made to resolve the matter at this stage.

### **Stage 2 (Formal Stage)**

- Once a formal written complaint is received from the complainant then the Executive Principal will undertake an investigation and reply in writing to the complainant within 15 days.
- However, if the complainant is not satisfied with the outcome then the complainant should move to the next stage.

### **Stage 3 (Formal Stage)**

- The complainant writes formally to the chair of governors outlining the reasons why he/she is not happy with the outcomes of the Executive Principal's investigation.
- The complainant requests that an appeals panel reviews the complaint.
- An appeals panel of 3 Governors meets within 20 working days after receipt of the complainant's letter.

- The complainant may request an investigation by the Wellspring Trust if he/she feels that that the review has not been handled fairly or if it has not been conducted in accordance with the school's complaints procedures.
- If a formal written complaint is received about the Executive Principal then the complaint must be sent to the chair of the governors.
- The chair of governors will investigate and provide, a written reply to the complainant within 15 days
- The complainant may request an investigation by the Wellspring Trust if he/she feels that that the review has not been handled fairly or if it has not been conducted in accordance with the school's complaints procedures.

### **Formal Complaint to the Trust**

- Once a request has been received then the Trust complaints officer will only investigate whether the school has followed correct procedures in dealing with complaints but will not investigate the complainant's original complaint.
- After the investigation the Complaints Officer will write formally to the complainant.
- If the result is that the school did not follow correct procedures then the complaint will be referred back to the Chair of the Governing Body.
- If the result is that the school dealt with the complaint correctly then the Trust cannot make the school change its decision.
- The complainant may now wish to lodge an appeal with the Secretary of State for Education.

### **Complaints regarding the Curriculum and General Educational Provision**

All curriculum and general educational provision complaints will be dealt with by the Local Authority in line with their set complaints procedures.

### **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- the academy website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- academy events
- meetings with academy personnel
- communications with home such as weekly newsletters and end of half term newsletters
- reports such annual report to parents and Executive Principal reports to the Governing Body
- information displays in the main school entrance

## **Training**

All school personnel will:

- have equal chances of training, career development and promotion
- receive training on this policy on induction
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

## **Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

## **Monitoring the Effectiveness of the Policy**

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Executive Principal and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement. (See Policy Evaluation).