



## **Complaints Policy**

### **The Copper Academy's Complaint Procedure**

**The Copper Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.**

#### **Introduction**

The School Standards and Framework Act 1998, section 39(1) places a duty on all governing bodies to establish a complaints procedure for parents/carers to make complaints about all matters related to the school that are not covered under other statutory procedures. In addition, there may be circumstances in which they may complain or appeal if they consider that their rights have been ignored, a wrong decision taken or if their child/young adult is not being properly taught.

#### **Underlying Principles**

The academy's guiding principles in complaint resolution are:

- Complainants will be treated seriously and courteously.
- To give careful and prompt consideration of all complaints
- Attempt to resolve complaints through dialogue and mutual understanding, and at as early a stage as possible.
- To seek to achieve a just and fair outcome, taking into account all the relevant evidence.

Separate procedures apply for:

- Admissions appeals.
- Exclusions
- Safeguarding matters

#### **Definition of a Complaint**

For the academy, a complaint within the terms of the procedures described here, is an expression of dissatisfaction - verbally or in writing by parents/carers of the child/young adult who attend the school. For the purposes of this policy, a 'parent' shall include a guardian, carer or any other person with

parental responsibility for a child/young adult at the academy. This policy applies to complaints from parents of current pupils and to parents of former pupils if the complaint was initially raised whilst the pupil was on the academy register.

Anonymous complaints would not normally be considered under this procedure.

This procedure outlines the informal and formal stages by which a complaint may be made against the academy. At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

### **Resolving a complaint**

It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate 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 event complained of will not recur.
- An explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review the academy procedures and policies in the light of the complaint.

The academy keeps a log of all formal complaints. This can be shared with any parties requesting it.

## **1. Stage 1 – informal resolution**

### **1.1 Guidelines**

It is hoped that all complaints are resolved as early and informally as possible.

The vast majority of complaints can be resolved informally. There are many occasions where complaints are resolved straightaway through talking to any members of staff, depending on whom the complainant first approaches. Parents must feel able to raise complaints with all members of staff without any formality, either in person, by telephone or in writing. On occasions it may be appropriate for someone to act on behalf of a parent. At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent/carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

1.2 Procedures The complainant will be given an opportunity to discuss their concern or complaint with the appropriate member of staff who will clarify the nature of the complaint and reassure them that the academy wants to hear about it. The member of staff may explain to the complainant how the situation arose. It may be helpful to identify at this point what sort of outcome the complainant is looking for.

The member of staff will need to respond appropriately, taking into account the seriousness of the complaint. Hopefully, the appropriate member of staff can resolve the matter

immediately. If the member of staff first contacted cannot deal immediately with the matter, they will acknowledge the complaint within 2 school working days of the complaint being raised; make a clear note of the date, the name, and contact address or phone number of the complainant. The team leader/academy owner will be given a copy. If the complaint is regarding the team leader/academy owner, then this will be referred to the deputy manager.

The member of staff dealing with the concern or complaint will make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing if this seems the best way of making things clear. Should the matter not be resolved within 5 school working days of it being acknowledged or in the event that the parent and member of staff fail to reach a satisfactory resolution, then the parent will be advised to proceed with the complaint in accordance with Stage 2 of this procedure.

## **2. Stage 2 – formal resolution**

### **2.1 Guidelines**

By now it will have become clear that the concern is a definite complaint. In some cases, the team leader/academy owner will already have been involved in looking at the matter; in others it will be their first involvement.

As the team leader/academy owner has responsibility for the day-to-day running of the whole academy, she has responsibility for the implementation of a complaints system, including the decisions about their own involvement at the various stages. One of the reasons for having the various 'stages' in a complaint's procedure is to reassure complainants that more than one person is hearing their complaint.

### **2.2 Procedures**

If a complaint has not been resolved on an informal basis, then the parent should make a formal complaint to the team leader/academy owner. This must be done in writing, stating explicitly that he/she wishes to invoke the formal complaints procedure. The academy will be sensitive to the needs of the parent/carer who may have literacy difficulties or for whom English is not their first language.

The team leader/academy owner will acknowledge the complaint in writing within two school working days of receiving the written complaint. The acknowledgement will give a brief explanation of the academy's complaints procedure and a target date for providing a response to the complaint. This will normally be within 10 school working days of the formal complaint being acknowledged. If, for exceptional reasons, this proves unworkable, a letter will be sent explaining the reason for the delay and giving a revised target date.

The team leader/academy owner will provide an opportunity for the complainant to meet her to supplement any information provided previously. It will be made clear to the complainant that if they wish, they may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf, and that interpreting facilities are available if needed.

If necessary, the team leader/academy owner will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. In some circumstances, another member of staff with whom the pupil feels comfortable will be asked to attend. In certain circumstances, and taking into account the nature of the complaint, it may be appropriate to invite a parent/carer to be present when the team leader/academy owner interviews a pupil. The team leader/academy owner will keep written records of meetings, telephone conversations and other contacts.

Once all the relevant facts have been established, the team leader/academy owner will then produce a written response to the complainant. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, the phrase 'Appropriate action has or will be taken' will be used.

The complainant will be advised that should they wish to take the complaint to Stage 3 they should notify the Proprietor within 10 school working days of receiving the outcome letter.

Where the complaint is against the team leader/academy owner arrangements should be made for the initial investigation to be conducted by the deputy team leader, who will carry out all the Stage 2 procedures.

### **3. Stage 3 – Independent Panel Hearing**

#### **3.1 Guidelines**

Complaints very rarely reach this level. All complaints which reach this stage will have done so because the complainant has not been satisfied by the team leader/academy owners response at the earlier stage of the procedure or the original investigation by the deputy team leader if the complaint had been about the team leader/academy owner.

It is important that this appeal should not only be independent and impartial but that it should be seen to be so.

The panel will be sensitive to issues of race, gender and religious affiliation.

As this may be the last chance for a solution or compromise to be reached, every effort should be made to mediate and conciliate.

The Panel Chair will ensure that as far as possible the proceedings are as informal as the situation allows.

#### **3.2 Procedures**

If the parent wishes to proceed to Stage 3 (following a failure to reach a resolution earlier in the complaints process) they should write to the Academy Owner, who is responsible for making the arrangements for a Panel Hearing, at the academy address. In the written request for a Panel Hearing, the parent should state the grounds of the complaint and the outcome desired. He/she should also send a list of all the documents that they believe to be in the

school's possession that they consider relevant in the matter and that they wish the Panel to see. Copies of all such documents shall be supplied to all parties not later than five school working days before the hearing.

Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the Academy Owner will acknowledge receipt of the complaint within two school working days and will schedule a meeting of the Panel within 10 school working days thereafter. The notification letter will also explain how the meeting will be conducted. The academy will take all reasonable steps when making the arrangements for the hearing to facilitate the parent exercising their right to attend. If, having indicated they wish to proceed to Stage 3 of this complaint's procedure, the parent decides not to attend the hearing, the hearing will take place in their absence. Under these circumstances, the panel will make findings on the substance of the complaint on the basis of the evidence available.

The Panel appointed will consist of at least three people not directly involved in matters detailed in the complaint, one of whom shall be independent of the management and running of the academy. It is not appropriate for the team leader/academy owner or another member of the staff to be on the panel.

The Panel Chair will invite the team leader/academy owner to attend the hearing and prepare a written report for the Panel in response to the complaint. Other members of staff directly involved in the matters raised by the complainant may also be invited to attend the hearing

The complainant may be accompanied by a friend or relative, but legal representation is not usually appropriate. If the complainant wishes to be accompanied by a legally qualified person, acting in their professional capacity, the academy must be notified at least seven school working days before the hearing. If possible, the Panel will resolve the parent's complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

### **3.3 The Hearing**

It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted.

The complainant and the team leader/academy owner and any other staff will be interviewed separately, so the Panel can form a clear and unbiased view of the complaint. The complainant to explain their complaint(s) and the team leader/academy owner to explain the academy's response. The Panel members to have an opportunity to question both the complainant and the team leader/academy owner. Any party has the right to call witnesses (subject to the approval of the Chair) and the Panel have the right to question all the witnesses. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

At the conclusion of the hearing, the Panel Chair will explain to the complainant and the team leader/academy owner that the Committee will consider its decision and that a written response will be sent to both parties within five school working days. The Panel will then consider the complaint and all the evidence presented and:

Reach a unanimous, or at least a majority decision on the complaint;

Decide upon the appropriate action to be taken to resolve the complaint; and

Where appropriate, suggest recommended changes to the academy's systems or procedures to ensure that problems of a similar nature do not happen again.

### **3.4 The Decision**

The Panel's decision, findings and any recommendations shall be confirmed in writing to the parent and, where relevant, to the person complained about within five school working days of the hearing.

The completion of Stage 3 represents the conclusion of the academy's complaints procedure.






The Panel's decision, findings and any recommendations will be available for inspection on the school premises by the team leader/academy owner.

### **Record keeping and confidentiality**

A written record will be kept by the team leader of all formal complaints, including any action(s) taken by the academy as a result of the complaint (regardless of whether it is upheld), and of whether they are resolved at Stage 2 or progressed to a panel hearing.

Parents can be assured that all concerns and complaints will be treated seriously. Correspondence, statements and records will be kept confidential except as required by the academy by paragraph 33 (k) of Schedule 1 to the Education (Independent Schools Standards) Regulations 2014; namely, where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them, or where any other legal obligations prevail. Records of individual complaints will be retained at least until the academy's next inspection thereafter, in accordance with data protection principles, only for as long as is considered to be reasonably necessary in the circumstances.

Outline The Copper Academy's Complaints Procedure: flowchart

	Complaint raised and received. (acknowledgement within 2 school working days) and passed to appropriate member of staff
	Complaint heard by staff member (informally and as soon as possible, within 5 school working days of acknowledgement)
Issue resolved: (including no further action)	Issue not resolved
	<p>Parent writes to the Team Leader/Academy Owner making clear they wish to make a formal complaint, who will then investigate the matter</p> <p>Team Leader/Academy Owner acknowledges receipt of complaint (2 school working days)</p> <ul style="list-style-type: none"> <li>• Meet with complainant to clarify complaint</li> <li>• Look into complaint as soon as possible (within 10 days of Team Leader/Academy Owners acknowledgement)</li> <li>• Inform complainant of outcome (+ write to confirm)</li> </ul>
Issue resolved: (including no further action)	Issue not resolved
	<p>Complaint referred to the Team Leader/Academy Owner</p> <p>Team Leader/Academy Owner acknowledges receipt of complaint (within 2 school working days).</p> <ul style="list-style-type: none"> <li>• Complaints panel arranged (within 10 school working days of Proprietor's acknowledgement)</li> <li>• Issue letter inviting complainant to a meeting</li> </ul>
	<p>Panel meet - decide to dismiss / uphold / decide action / recommend change and issue letter confirming panel decision (within 5 days of the Hearing)</p> <p><b>*END OF PROCESS FOR ACADEMY*</b></p>
	Complainant may complain to the Department for Education who may review due process

Example of a form to record a formal complaint

Please complete and return to Team Leader/Academy Owner who will acknowledge receipt and explain what action will be taken.

Your name:			
Pupil's name:			
Your relationship to the pupil:			
Address:			
Day time telephone number:		Evening telephone number:	
Please give details of your complaint.			
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?			
What actions do you feel might resolve the problem at this stage?			



Are you attaching any paperwork? If so, please give details.		
Signature:		Date:
Official use		
Date acknowledgement sent:	Complaint referred to:	
Acknowledgement sent by:	Date:	

**Written by – Emma Hosie**

**Written on – June 2020**

**Next Review – June 2021**