

**BRYMORE ACADEMY**

**PUPIL AND PARENT COMPLAINTS POLICY & PROCEDURE**

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| **Created by:** Robert Watts |
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| **Signature of Chair of Governors** | **Signature of Headteacher** |
| **Date shared with staff:** |

**AIMS**

The aim of this policy is to provide a structured procedure that can be followed for anyone who wishes to make a formal complaint against Brymore Academy.

**PUBLICITY**

Parents should always know how to raise concerns or lodge a formal complaint. Leaflets explaining how the Complaints Procedure works are available from the Education Department. If parents contact the Department when the academy’s internal procedures have not been fully exhausted, they will be referred back to the academy.

**ADVICE AND SUPPORT FOR COMPLAINANT**

It is important that parents should know where they can go for information and advice if they require it. They may seek help from local advice agencies (Citizens Advice Bureau) from individual governors or an LA officer (Information and Access Officer 01823 355748) providing such governors are able to avoid involvement in any later parts of the Procedure. (NB: individual governors should limit their involvement to the provision of procedural advice/guidance). Parents raising concerns or complaints should be invited to be accompanied at any point in the Procedure. This policy should be read in conjunction with the Academy’s following policies –

* Whistleblowing policy / Grievance policy / Managing allegations against staff policy

**SUPPORT FOR A PERSON COMPLAINED AGAINST**

Staff who are implicated in a complaint and may be questioned as part of the investigation of that complaint must feel they are being treated in a fair way and that they have the opportunity to put their case. They should be told about the Procedure and kept informed of progress. There is a crucial balance to be maintained between supporting staff so that their rights and reputations are protected, and investigating a complaint thoroughly and impartially. Staff will be well advised to seek guidance and support from their trade union or professional association. Non-union staff would need to meet the cost of any professional advice/representation themselves.

**CONFIDENTIALITY**

Correspondence and conversations should be treated with discretion. Parents must feel confident that their complaint will not penalise their child. However, all parties involved will need to be aware that some information may have to be shared with others involved in the operation of the Procedure. It is usually proper to disregard anonymous complaints. However, if they relate to something of a serious nature, the Headteacher or Governing Body should use their discretion to decide whether the gravity of the complaint warrants investigation.

**REDRESS**

If the outcome of the Procedure shows the academy is at fault, the range of possible responses includes one or more of the following:

* Acknowledgement and apology
* Explanation
* An undertaking to review/revise academy policies or practices
* A commitment to take steps designed to prevent a recurrence
* (in appropriate circumstances) financial compensation

Concern about possible litigation should not prevent a academy from admitting to parents when mistakes have been made. But, depending on the details of the individual case, advice should be sought, as appropriate, from the County Council’s Insurance Section (Treasurer’s Department), Health & Safety Unit and Legal Services team if litigation is known or suspected to be a possibility.

**STAFF AND GOVERNORS’ AWARENESS AND TRAINING**

All staff and governors should be familiar with the Procedure so that they can advise parents about its operation. Potentially a great many staff can be involved in complaints, particularly at the informal level. Their confidence in such situations will depend on having clear information, knowing that senior staff are committed to the Procedure and having some basic training in practical interpersonal skills needed when confronting people who are upset or angry. All staff and governors should have clear information about each other’s responsibilities so that parents are not passed inappropriately from one to another.

**Complaints Procedure**

**This document sets out detailed guidance on the process for dealing with comments, grievances and complaints.**

A complaint is an expression of dissatisfaction about the academy. Two different types of complaint are recognised by Brymore Academy:

(a) A ***justified complaint*** - where the Academy is at fault because we have failed to do something we should have, or we have done something we should not have.

(b) A ***grievance*** - where the complainant is dissatisfied but we are not at fault because we are following an agreed policy or procedure. Whilst these may be understandable causes for complaint, the concerns reflect policies and budgets already agreed by the academy and its Governing Body. As such the Academy has not failed to do something it said it would, or has agreed to do.

**Investigating Complaints**

At each stage the person investigating the complaint will ensure that they:

* establish what has happened so far, and who has been involved;
* clarify the nature of the complaint and what remains unresolved;
* meet with the complainant or contact them (if unsure or further information is necessary);
* clarify what the complainant feels would put things right;
* interview those involved in the matter and/or those complained about, allowing them to be accompanied if they wish;
* conduct the interview with an open mind and be prepared to persist with questioning;
* keep notes of any interview or meeting
* communicate with the complainant at each stage over discussions and agreements reached within set time frames stated.

**Resolving Complaints**

At each stage in the procedure, successful resolution of the complaint will take priority. If appropriate one or more of the following may be offered:

* 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 academy policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

**Time Limits**

Complaints will be considered and resolved as quickly and efficiently as possible. Realistic time limits will be set for each action within each stage. However, where further investigations are necessary, new time limits may need to be set and the complainant sent details of the new deadline and an explanation for the delay.

On occasion, the academy may need to extend the time to respond to a Stage 1 or Stage 2 complaint. This may be because of resources or capacity issues, or because additional information needs to be obtained to investigate the complaint. In such cases, the academy will provide a holding letter, explaining the reason for the delay, and providing a date by which a response will be supplied.

*Response times given refer to Monday to Saturday inclusive, term time only.*

**Recording Complaints**

Following resolution of a complaint, the academy will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing. At the academy’s discretion, additional records may be kept which may contain the following information:

* Date when the issue was raised
* Name of parent
* Name of pupil
* Description of the issue
* Records of all the investigations (if appropriate)
* Witness statements (if appropriate)
* Name of member (s) of staff handling the issue at each stage
* Copies of all correspondence on the issue (including emails and records of phone conversations)

**Pupil Complaints**

Pupil complaints are taken very seriously. C1 forms can be used by all pupils if their complaint is unable to be satisfied at stage 1 of the procedure. The forms are held by the Academy Office and are available to download from the academy website, all pupils have access to them if requested. Pupils may need help with writing down the details of the complaint and so assistance is offered and provided at this request. The pupil will then hand the form into reception for the attention of the Headteacher.

*Pupils can be reassured that there is always someone who will listen to them:*

* A friend
* Their Parents
* Their Houseparent
* Form Tutor
* Any member of teaching staff
* Member of SLT

Pupil complaints will follow the same procedure as that followed for complaints made by parents and others from outside of the academy. The time frames and communication procedures remain the same regardless of who is making the complaint.

**Procedure**

***Stage 1 – Informal Resolution***

It is hoped that most complaints and concerns will be resolved quickly and informally.

If parents have a complaint they should normally contact their child’s Tutor or Houseparent. In many cases, the matter will be resolved straightaway by this means to the parents’ satisfaction.

If the Tutor or Houseparent cannot resolve the matter alone, it may be necessary for him/her to consult the Head of House or Head of Boarding or Assistant Headteacher.

Complaints made directly to Head of House, Head of Boarding or Assistant Headteacher will usually be referred to the relevant Tutor or House Parent for further action unless deemed appropriate for him/her to deal with the matter personally, in which case the member(s) of staff will merely be kept informed of the complaint and the outcome.

The person dealing with the complaint will make a written record (C1 form) of all concerns and complaints and the date on which they were received. If the complaint is successfully resolved the completed C1 form will be handed to the staff members line manager to review and be submitted to reception to be filed and recorded.

All such complaints that cannot be dealt with immediately will be acknowledged within 24 hours (via e mail or phone call) with an indication that further investigations are taking place.

Should the matter not be resolved within one week or in the event that the person dealing with the complaint and the parent fail to reach a satisfactory resolution then complainants will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure. At this point the member of staff dealing with the complaint will submit the completed C1 form to reception for the attention of the Headteacher.

***Stage 2 – Formal Resolution***

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headteacher and complete the C1 form available in reception and from the academy website. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headteacher will discuss the matter with the complainant concerned, normally within 3 days of receiving the complaint. If possible, a resolution will be reached at this stage.

It may be necessary for the Headteacher to carry out further investigations.

The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.

Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will also give reasons for his decision.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

***Stage 3 – Panel Hearing***

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of Governors.

The Board will consist of persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the academy. The Board, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 7 days.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the Board will resolve the parents’ complaint immediately without the need for further investigation.

Where further investigation is required, the Board will decide how it should be carried out. After due consideration of all facts they consider relevant, the Board will reach a decision and may make recommendations.

The Board will make findings and recommendations and a copy of those findings and recommendations can be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about, and available for inspection on the academy premises by the Governors and the Headmaster.

A written record will be kept of all complaints whether they are resolved at the preliminary stage or proceed to a Board hearing.

The Board will write to the parents informing them of its decision and the reasons for it. The Board’s findings and, if any, recommendations will be sent in writing to the parents, the Headmaster and, where relevant, the person complained of. The decision of the Board will be final.

**Complaints Procedure**

Complaint Made

Directed to Tutor / House Parent or member of staff they will deal with the matter immediately if possible, or pass it onto Head of Boarding / Head of House or Assistant HT.

If complaint is about the Headteacher, complete C1 and sent directly to Chair of Governors

Complaint direct to Headteacher, complainant asked to complete C1 if possible.

Headteacher will select one of two options depending upon severity of complaint (HT discretion)

Complaint acknowledged and discussed within 24 Hours by recipient

Complaint Satisfied



Complainant Dissatisfied

Appointment offered / accepted

Complainant and relevant staff meet. Complaint discussed.

Complaint Satisfied



Complainant dissatisfied

Matters unresolved, internal action required – HT to initiate

Complainant dissatisfied



Complaint Satisfied

Resolution actioned by HT

New procedures evaluated and, if appropriate, adopted

Complainant still dissatisfied, referred to Chair of Governors

**END PROCEDURE**

**Brymore Academy**

C1

**PROCEDURE FOR DEALING WITH GENERAL COMPLAINTS FORM TO REGISTER A FORMAL COMPLAINT**

**Complainants Personal Details:**

Name

Address:

Tel Number:

**Details of Complaint [Please state clearly the nature of complaint including names / dates / locations etc]:**

**(Complainant) Signed: Date:**

(To be completed by staff) **Staff Name:**

**Actions taken to resolve complaint : Date**:

**Please tick as appropriate below -**

 **Complaint resolved at stage 1 complainant satisfied.**

 **Stage 2 action required C1 to be passed to Headteacher**