



ROYSTON SCHOOLS ACADEMY TRUST

Complaints Policy

Adopted by RSAT Board:	<i>September 2015</i>
Signed by Chair of Board:	
Review Due:	<i>September 2017</i>
Statutory Document:	Yes
Update on Website:	Yes
Additional Comments:	<p>This policy has been taken from Hertfordshire Grid for Learning who have negotiated with the relevant professional associations and trade unions and is recommended for adoption</p> <p>This policy will be reviewed every 2 years, unless guidance issued from HCC requires updates during the academic year.</p>

This policy and procedure is for the benefit of students and parents of students at the Academy.

It will be relied upon in respect of **all complaints** by parents and students made against the Academy **except** in respect of;

- (a) **child protection allegations** where a separate policy and procedure applies; and
- (b) **exclusions** where a separate policy and procedure applies; and
- (c) **appeals relating to internal assessment decisions for external qualifications** where a separate appeals procedure applies.

The Academy expects that most complaints can be resolved informally through discussion with the relevant Form Tutor. If this is not possible, then discussion with the relevant Head of Year will ensure they use their best endeavours to resolve any complaints or concerns that are made informally on that basis or will pass the concern on to the relevant member of staff where this is considered more appropriate.

If informal procedures fail to resolve the issue, a first formal complaint about any matter aside from the above mentioned exceptions, must be given verbally or in writing by the parent on behalf of the student to a member of the Senior Leadership team (**SLT**) and will be dealt with under this Complaints Policy and Procedure.

Should cause for concern continue beyond this point, a letter from the parent should be submitted to the Headteacher with details of the complaint. At this second formal stage:-

- The Headteacher will, when feasible to do so, respond within 2 working days, that they have received the complaint.
- The Headteacher will undertake a thorough investigation of the complaint.
- The Headteacher will advise of the outcome of the investigation within 10 working days where this is feasible. If the complaint is more complex it may take longer than 10 working days.
- The Headteacher will write to the parent explaining what has happened as a result of the investigation or may arrange a meeting with the complainant.

Should the matter remain unresolved at this point, a further letter from the parent should be submitted to the Chair of the Local Governing Body with details of the complaint. At this final formal stage:-

- The Chair of the Local Governing Body will, when feasible to do so, respond within 2 working days, that they have received the complaint.
- The Chair of the Local Governing Body will undertake a thorough investigation of the complaint.
- The Chair of the Local Governing Body will advise of the outcome of the investigation within 10 working days where this is feasible. If the complaint is more complex it may take longer than 10 working days..

- The Chair of the Local Governing Body will write explaining what has happened as a result of the investigation or may arrange a meeting with the complainant.

If the complainant remains dissatisfied with the outcome following the application of the procedures outlined above, then they should make an appeal in writing to an Independent Complaints Panel (**ICP**) to be arranged by the Academy.

If the complaint remains unresolved after the exhaustion of all the above, the complainant's only recourse thereafter is to the Education Funding Agency (EFA). The EFA is only able to check that the Academy has followed this policy correctly, it is not able to respond to the actual complaint and so in terms of resolution to the complaint, the ICP is the final step in the internal process.

Every complaint shall receive fair and proper consideration and a timely response. The Academy will do all it can to resolve the concern and to ensure that parents/guardians remain confident about the quality of education their child receives at the Academy.

Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated both seriously and in confidence.

Correspondence, statements and records will remain confidential except in so far as is required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

Complaints Procedure

The Academy Complaints Procedure will:

- encourage resolution of problems by informal means if possible
- be easily accessible and publicised
- be simple to understand and use
- 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
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide for information to be available to the SLT so that services can be improved.

The Academy will be clear about the difference between a concern and a complaint. The Academy will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

In general, most concerns and complaints should be satisfactorily dealt with at the informal or first formal stage of the above mentioned procedures.

Stage One - Informal Resolution

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. If parents have a complaint they should normally contact their child's Form Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Tutor cannot resolve the matter alone, or this is not considered the relevant contact it may be more appropriate to consult the relevant Head of Year who likewise will pass the concern on to the relevant member of staff where this is considered more appropriate.
3. The Form Tutor, Head of Year or other relevant member of staff will make a written record of all complaints and the date on which they were received. (See Annex A).
4. The Academy will use its reasonable endeavours to resolve any informal complaints within ten Academy days of them being raised.
5. Should the matter not be resolved as referred to in paragraph 4 above, or in the event that the Form Tutor, Head of Year or other relevant member of staff and the parents fail to reach a satisfactory resolution, then the parents may proceed with their complaint in accordance with the first formal stage of this Procedure.

Stage Two – First Formal Resolution

6. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 1 to 5 above), then parents should put their complaint either verbally or in writing to the relevant member of the SLT. Parents should also identify how they wish their complaint to be resolved.
7. The relevant member of the SLT will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.
8. The relevant member of the SLT will decide, after considering the complaint, the appropriate course of action to take.
9. In most cases, the relevant member of the SLT will meet or speak with the parents concerned to discuss the matter and will use reasonable endeavours to speak to or meet parents within ten Academy days of the formal complaint being received. It is likely that for most complaints at this first formal stage, a resolution will be reached.
10. The relevant member of the SLT will keep a written record of all meetings and interviews held in relation to the complaint.
11. Once the relevant member of the SLT is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision usually in writing, giving reasons for the decision, no later than ten working days after speaking or meeting with parents to discuss the matter (pursuant to paragraph 9 above). The relevant member of the SLT may also arrange to meet with parents to explain the decision.
12. The Academy will keep a written record of all first formal complaints, including records of meetings and interviews held in relation to the complaint. This record will state if

complaints were resolved at the first formal stage (Stage Two) or if they were taken further.

Stage Three – Second Formal Resolution

13. If the complaint cannot be resolved either at the informal or first formal stage (as set out in paragraphs 1 to 12 above), then parents should put their complaint either verbally or in writing to the Headteacher. Parents should also identify how they wish their complaint to be resolved.
14. The Headteacher will undertake an investigation of the complaint unless they deem it more appropriate for the complaint to be investigated on their behalf.
15. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.
16. The Headteacher may need to meet or speak with the parents concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents within ten Academy days of the final formal complaint being received. It is likely that for most complaints reaching this second formal stage, a resolution will be reached.
17. The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.
18. Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision usually in writing, giving reasons for the decision. The decision should be provided no later than ten working days from that date of receipt of the final formal complaint or after speaking or meeting with parents to discuss the matter (pursuant to paragraph 16 above) if applicable. The Headteacher may also arrange to meet with parents to explain the decision.
19. The Academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint. This record will state if complaints were resolved at the second internal formal stage or if they were taken to the Chair of the Local Governing Body.
20. Where parents are dissatisfied with the outcome of the Academy's response to their second formal complaint, the parents have the opportunity to have their complaint considered by the Chair of the Local Governing Body.

Stage Four – Chair of Local Governing Body - Final Formal Resolution

21. If the complaint cannot be resolved at any of the earlier stages or if the complaint is about the actions of the Headteacher, then parents should put their complaint in writing to the Chair of the Local Governing Body. Parents should also identify how they wish their complaint to be resolved.

22. The Chair of the Local Governing Body will undertake an investigation of the complaint unless they deem it more appropriate for the complaint to be investigated on their behalf.
23. The Chair of the Local Governing Body will decide, after considering the complaint, the appropriate course of action to take.
24. The Chair of the Local Governing Body may need to meet or speak with the parents concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents within ten Academy days of the complaint being received. It is likely that for most complaints reaching this final formal stage, a resolution will be reached.
25. The Chair of the Local Governing Body will keep a written record of all meetings and interviews held in relation to the complaint.
26. Once the Chair of the Local Governing Body is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision usually in writing, giving reasons for the decision. The decision should be provided no later than ten working days from that date of receipt of the final formal complaint or after speaking or meeting with parents to discuss the matter (pursuant to paragraph 24 above) if applicable. The Chair of the Local Governing Body may also arrange to meet with parents to explain the decision.
27. The Academy will keep a written record of all final formal complaints, including records of meetings and interviews held in relation to the complaint. This record will state if complaints were resolved at the final formal stage or if they were taken to an Independent Complaints Panel (ICP).
28. Where parents are dissatisfied with the outcome of the Academy's response to their final formal complaint, the parents have the opportunity to have their complaint considered by an ICP.

Stage Five – Appeal Hearing

29. If parents seek to invoke an independent hearing following failure to reach an earlier resolution and where dissatisfied with the decision either at Stage Three or Stage Four in respect of their final formal complaint, the parents may, in writing addressed to the Chairman of the Academy Executive Board, request that their complaint is further considered by an ICP as appropriate for this purpose.
30. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.
31. Parents must lodge their appeal in writing and within ten working days of the date of the Academy's decision made in accordance with the Stage Five Procedure. The parents should provide a list of their complaint(s) made against the Academy and which they believe to have been resolved unsatisfactorily by the Stage Four Procedure, along with the remedies sought in respect of each. The ICP is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

32. Where an appeal is received by the Academy, the Academy will, within five Academy days, refer the matter to the Clerk to the Academy Board who will act as Clerk to the ICP.
33. The Clerk provides an independent source of advice on procedure for all parties.
34. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five working days, and inform the parents of the steps involved in this appeal procedure.
35. The Clerk will then endeavour to convene an ICP Hearing as soon as possible to consider the matter, normally no later than twenty Academy (student) days after receipt by the Academy of parents' written notice that they wish to invoke the Stage Five Procedure, dependent upon the availability of the Panel members.
36. The ICP will consist of two members of the Academy's Executive Board who have not previously been involved in the complaint and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education (DfE).
37. The following are entitled to attend a hearing, submit written representations and address the ICP:
 - (a) The parent/s (or, if aged over 18, the student) and/or one representative;
 - (b) The Chair of the Local Governing Body and/or Headteacher of the Academy and/or one representative; and
 - (c) Any other interested person whom the ICP considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making. Legal representation will not normally be appropriate.
38. Where the ICP deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the ICP in support of their position, including:
 - (a) documents in support of complaint(s),
 - (b) chronology and key dates relating to complaint(s), and
 - (c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the ICP, along with the initial submission that was lodged by the parents.
39. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the ICP members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five working days in advance of the ICP hearing.
40. It is for the ICP to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the ICP will resolve the parents' complaint immediately without the need for further

investigation. Where further investigation is required, the ICP will decide how it should be carried out.

41. After due consideration of all the facts they consider relevant, the ICP will reach a decision, and may make recommendations, which it shall complete within ten working days of the hearing. The decision reached by the ICP is final. Any decision reached that may have financial implications for the Academy will need the appropriate approval from the Chair of the Executive Board, whilst aiming to remain compatible with the decision of the ICP.

42. The ICP's findings will be sent by the Clerk in writing to the parents, the Chair of the Executive Board, the Headteacher, the members of the ICP and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the ICP.

43. Should the parent remain unhappy with the outcome of the appeal, they may write to:-

The Academies Central Unit (Academy Complaints)

Education Funding Agency

Cheylsmore House

Quinton Road

Coventry

Or e-mail academyquestions@efa.gov.uk

The Unit's only role will be to ensure that due procedure has been correctly followed according to this policy.

44. The Academy will keep a record of all appeals, decisions and recommendations of the ICP on the Student's File and thereafter in line with standard retention requirements.

45 The Complaints Policy and Procedure shall be subject to biennial review.

Royston Schools Academy Trust Complaint Form (Annex A)

**Please complete and return to (name of staff member)
who will acknowledge receipt and explain what action will be taken.**

Your name:

Student's name and form:

Your relationship to the student:

Address:

Postcode:

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:

Royston Schools Academy Trust Complaint Form (Annex B) - Flowchart

Informal Complaint received by Form Tutor

Issue resolved

No further action required

Issue not resolved

Reported to the relevant member of the Senior Leadership Team in writing

Complaint received by the relevant member of the Senior Leadership Team

Acknowledge receipt of complaint and hold meeting (if necessary)
Letter with decision sent

Issue resolved

No further action required

Issue not resolved

Reported to Headteacher in writing

Complaint received by the Headteacher

Acknowledge receipt of complaint and hold meeting (if necessary)
Letter with decision sent

Issue resolved

No further action required

Issue not resolved

Reported to Chair of the Local Governing Body in writing

Complaint received by the Chair of the Local Governing Body

Acknowledge receipt of complaint and hold meeting (if necessary)
Letter with decision sent

Issue resolved

No further action required

Issue not resolved

Appeal to an ICP lodged

Complaint appeal received

Clerk to the RSAT Executive Board issues letter to parents
ICP meeting convened within 20 Academy days of receipt

Issue resolved

No further action required

Issue not resolved

Parent option to take their complaint to the EFA