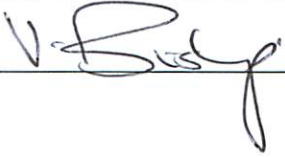




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| Title | Complaints Policy |
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| Associated Policies | |
| Originator | C. Hinds |
| Approved |  |

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Hatton Academies Trust

Complaints Policy

1. General

Hatton Academies Trust aims for excellence in the provision of all services (educational or non-educational) to parents/carers of students in all of our Academies and other parties. Where it is believed that the Trust, or any member Academy, has provided a service which falls below the level expected, the Trust Board wishes to ensure that systems and procedures are in place which:

- a) ensure that complaints can be made and dealt with in an efficient and effective manner and
- b) deal with complaints to the standard required by the Education (Independent School) Standards (England) Regulations 2010 Schedule 1, Part 7

2. Aims

This policy aims to ensure that all complaints from parents, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so.

To this end, the Trust has adopted a three stage process for dealing with complaints:

- Stage 1: Informal (complaint heard by a member of staff, who is not subject of the complaint)
- Stage 2: Formal (complaint heard by Academy Principal or Head of Primary Education)
- Stage 3: Formal (complaint heard by Panel)

3. Scope of this Policy

This policy and procedures encompassed within should be used for all general concerns and complaints regarding the actions of the Trust or any member of staff within its member Academies. It should be noted that separate policies exist for the specific matters listed below:

- Matters relating to the curriculum
- Exclusions appeals
- Admissions appeals
- Safeguarding / Child Protection Allegations
- Employment related grievances

4. Responsibilities

4.1 The Board of Directors

The Board of Directors hold the following responsibilities:

- To ensure that the policy is promoted throughout the Trust on Academy websites.
- The management of these responsibilities will be delegated to the CEO.

4.2 The CEO

The CEO holds the following responsibilities:

- To hear complaints at Stage 2 which are made against an Academy Principal, Director of Finance & Operations or the Head of Primary Education, or which it would be inappropriate for the Executive Principal to hear.
- To receive complaints at Stage 3, nominate a panel of Directors / Academy Committee members to hear the appeal, and to check that the correct procedure is followed.
- To commission a review of this policy every 3 years by assessing its implementation and evaluating its effectiveness.
- Approving the policy, procedures, and guidelines (on behalf of the Board of Directors)
- Conducting a review of the policy every 3 years and an annual evaluation of the nature of complaints received

4.3 The Head of Primary Education and Academy Principals

The Head of Primary Education and Academy Principals hold the following responsibilities:

- Hearing informal and/or formal complaints at Stages 1 and 2 and responding to those complaints as required
- Overall internal management of the procedures
- To hear complaints delegated at Stage 2 as required, ensuring that the procedures are followed.
- To report the outcome of delegated Stage 2 complaints to the CEO.
- To attend Stage 3 meetings as required to give evidence

4.4 Management of Stage 3 meetings

CEO /Board of Directors panel Stage 3

Ensure that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard; and
- any written material is seen by all parties.

4.5 Assistant to the Board of Directors

The Assistant to the Board of Directors will act as the reference point for the complainant at Stage 3.

The Assistant to the Board of Directors must:

- set convenient dates and times and venues for hearings;
- collate any written material and forward it to the parties;
- meet and welcome the parties;
- record the proceedings; and
- notify the parties of the decision.

4.6 The Director of Operations and Finance

The Director of Operations and Finance holds the following responsibilities:

- To ensure the efficient operation and management of the policy and procedures
- To train staff on how to deal appropriately with complaints
- To keep parents, pupils and other parties informed of the procedures
- To implement and maintain a management information system to record all complaints at Stage 2 and Stage 3.
- To compile reports for the CEO as required
- To investigate all administrative, environmental and financial concerns and complaints on behalf of the CEO as required.

4.7 Heads of department and other middle managers

Heads of department and other middle managers are responsible for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at stage 1 of the procedures.

Heads of year groups are responsible for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care at Stage 1 of the procedures.

Managers of support staff teams are responsible for dealing with and where possible resolving complaints concerning any aspect of their service provision at Stage 1 of the procedures, and reporting outcomes to the Director of Finance and Operations.

The **Designated Senior Person** will deal with complaints relating to Child Protection and pupils with medical conditions in the first instance in accordance with the Academy Trust's Child Protection procedures.

4.8 All staff

All staff are responsible for hearing any concerns brought to them by parents, pupils and other parties and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns and for passing any complaints received from other people who are not parents or pupils to the PA to the CEO.

5. Information for parents

The Academy and Trust websites will include a copy of this policy and advice to parents that any complaints they may have should first be made to the Academy Principal.

5.1 Formal procedure

Every attempt will be made to resolve complaints informally, but if this fails then this procedure will be followed:

- Stage 1 Informal: complaint heard by staff member (who is not subject of the complaint);
- Stage 2 Formal: complaint heard by Associate Principal or Head of Primary Education
- Stage 3 Complaint heard by a panel of Directors

5.2 Guidelines

All staff and Directors should be conversant with the procedures.

5.2.1 Stage 1

All staff should listen carefully and patiently to parents' and pupils' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the parent or pupil.

If the matter is within the competence and authority of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant line manager/member of staff, and the relevant person should be informed by the member of staff as soon as possible.

The member of staff receiving the complaint should use the Trust's 'Complaints Form' (*Appendix 1*) to inform their line manager/relevant senior member of staff. But this does not prevent the member of staff also speaking to the senior colleague about the matter at the earliest opportunity.

If the senior member of staff considers the issue to be serious (but is not a child protection issue) he/she should inform the Academy Principal / Head of Primary Education via the trust's 'Complaints Form', and inform the complainant of the action taken (Stage 2). The Academy Principal / Head of Primary Education will determine the next step(s).

If the Academy Principal or a relevant senior member of staff considers that he/she can deal with the complaint he/she should attempt to do so. If a resolution cannot be found the Academy Principal should inform the complainant of their right of appeal to a panel of Directors (Stage 3). In such circumstances, the CEO must be advised of all referrals by an Academy Principal to an appeal panel.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of trust staff the 'named person' responsible for child protection complaint should be informed by the Academy Principal who will follow the appropriate procedures.

If a serious complaint is made by a pupil, the member of staff should immediately inform the pupil's tutor or class teacher (or the Director of Year). It will be the responsibility of the head of Year to determine whether he/she can deal with the issue, or in consultation with their line

manager what the next course of action should be, including referring the matter to the Academy Principal / Associate Principal.

In any cases of doubt members of staff should seek the advice of the senior leader who has the responsibility for mentoring colleagues or another member of the senior team.

If the appropriate member of staff cannot resolve the complaint, the senior member of staff must refer the matter to the Academy Principal or Head of Primary Education (Stage 2).

At Stage 1 the academy should aim to resolve the complaint within 24 hours of receiving it. Where this is not possible, the staff involved will inform the parties of the action being taken within 24 hours, and when they expect that it will be resolved.

No complaint should normally be left unresolved at this stage after THREE days of receipt of the complaint. In abnormal circumstances the matter will be referred to the Academy Principal who will determine the appropriate action, and will keep the parties informed.

5.2.2 Stage 2

The Academy Principal will decide the outcome at this stage, but may delegate the collating of information to the academy office.

The Academy Principal must normally resolve the matter within THREE days of receiving notification of the complaint. In abnormal circumstances a longer time scale can be agreed, either by agreement with all parties, or by a decision of the CEO if no agreement is reached.

If the Academy Principal is unable to resolve the issue it is open to the complainant to make representations to the Board of Directors. (Stage 3)

5.2.3 Stage 3

Appeals / Escalated Complaints to Complaints Panel

Complainants who are not satisfied by the decisions at stages 1 to 2 can make representations to the Board of Directors.

The complainant must be advised by the Assistant to the Directors to write to the Chair of the Board of Directors giving details of the complaint. The Chair will nominate a Director (or panel) to hear the appeal.

The panel must contain one person who is independent of the management and running of the Academy (this excludes Directors, and Senior / Middle Managers).

The hearing must be within 10 days of the Chair receiving notice of the appeal or escalated complaint.

The complainant must be told of their right to be accompanied by a friend, and where relevant translations/interpreters must be arranged by the Assistant to the Board in consultation with the parties.

The nominated panel will make its own procedures, and will agree these with the Chair, who will report them to the next Board of Directors meeting.

The Director/panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

Careful consideration must be taken when the complainant is a pupil.

The Director/panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The Director/panel can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint; or
- recommend changes to the Academy's or Trust's systems or procedures.

The Board of Director's decision is binding.

The decision at this stage must be communicated by the Assistant to the Board of Directors to the parties within THREE working days of the hearing.

6. Dealing with complaints through Ofsted

The *Education (Investigation of Parents' Complaints) (England) Regulations 2007* brought in a new procedure for dealing with parents' complaints through Ofsted. The regulations set out what complaints can be investigated by Ofsted as qualifying or non-qualifying complaints.

Ofsted cannot investigate a parental complaint until the parent has exhausted all internal methods and appeals. However, the Chief Inspector has the discretion to waive this restriction.

7. Vexatious complaints

If the complainant remains dissatisfied after all stages have been properly followed, the chair is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed. Further complaints on the same matter may be regarded as vexatious.

8. Investigating complaints

The person investigating the complaint will make sure 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 of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning; and
- keep notes of the interview.

9. Resolving complaints

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might 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; and
- an undertaking to review Academy/Trust policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. The Directors acknowledge that an admission that the Academy/Trust could have handled the situation better is not the same as an admission of negligence.

The Academy Principal / Head of Primary Education and CEO and Chair will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

10. Reporting and recording

In all cases it is important for staff to use the Trust's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Academy Principal / Head of Primary Education and CEO will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

11. Monitoring and review

The Academy Principal will report to staff from time to time, and to the CEO annually or earlier if the Directors so determine, on the number and type of complaints received and their outcomes.

12. Appendix 1.

HAT Complaints Form. This form is a copy for Appendix only the form for completion should be downloaded from: www.hattonacademy.org.uk

Hatton Academies Trust Complaint Form

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned.

A. Your Details

Name in Full:

Address including postcode:

Email Address:

Daytime Phone Number:

Mobile Phone Number:

B. If you are making a complaint on behalf of someone else, what are their details?

Their Name in Full:

Address including postcode:

What is your relationship to them?

Why are you making a complaint on their behalf?

C. About your complaint

C1. Name of the Academy you are complaining about.

C2. Nature of the complaint. (please use additional sheets if required)

C3. Describe how you have been affected

C4. When did you first become aware of the problem?

C5. If it is more than 3 months since you first became aware of the problem, please give the reason why you have not complained before.

C6. Have you already put your complaint to a member of staff? If so please give details of how and when you did so.

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else:

Signature:

Date:

Please email this form and any documents to support your complaint to the PA to the CEO. harrise@hattonacademy.org.uk or send a hard copy to: Emma-Jane Harris, Hatton Academies Trust, The Pyghtle, Wellingborough, NN8 4RP.

OFFICIAL SCHOOL USE

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: