

COMPLAINTS POLICY

1. Principles

The College values the generally good relations it enjoys with parents and the community. These are based on mutual respect and a willingness to listen to other points of view. The purpose of the complaints procedure is to provide an opportunity to resolve concerns when other attempts have failed.

This procedure builds on the legal requirements of **Section 23 of the Education Reform Act (replaced by Section 409 Education Act 1996) and the Guidance issued in Department of Education & Science Circular 1/89: Local Arrangements for the Consideration of Complaints.**



2. Procedures

- 2.1. There are specific procedures for certain other complaints (e.g. SEN statements, accusations of child abuse, exclusions) which must be followed in those cases.

At any stage in the process, any party may consult the YPLA for impartial advice on matters of procedure.

2.2. Stages

The full procedure has five stages, but every effort should be made to resolve issues at the earliest possible stage:

1 Teacher (or Principal if immediately involved)	Most concerns are easily resolved informally by discussion with staff at the College; more difficult or complex concerns may take more than one discussion.
	
2 investigation by Principal or Chairman of Governors	The Principal investigates and responds to the complaint. If the complaint is directed at the Principal, then the Chairman of Governors (or other named governor) takes this stage.
	
3 complaint to the governing body	If after careful attempts a resolution is not achieved, the complaint is heard by a panel of at least three governors.
4 YPLA Academies Central Unit	If, and only if, the complaint falls under the arrangements set up under Section 409, Education Act 1996, it can be referred to the YPLA. In other cases, the governing body's decision will stand. The YPLA gives direction if the governing body has acted unreasonably or has failed to make provision.

Stage 1 - teacher or Principal

Where a concern is brought to the College's attention it can often be resolved with a discussion. Occasionally despite the best efforts of all parties these discussions do not resolve the concern, which then may become a complaint.

Stage 2 - investigation by Principal or Chairman of governors

The complainant is asked to confirm the complaint in writing to the Principal (or Chairman of Governors if the complaint is about the Principal). The Principal (or Chairman) copies relevant papers to any member/s of staff named in the complaint.

If the complaint is not resolved at Stage 2 by the Head Teacher or Chairman of Governors, then the complainant is asked to follow a procedure for mediation. This involves referring the complaint to a Parent Governor. The complainant is also given a copy of the full complaints procedure at this point. If the complaint is still not resolved after mediation then it moves to Stage 3.

Stage 3 - complaint to the governing body

This can be made only if the complainant has:

- ◆ sought to resolve the concern through approaches to the College as described in stages 1 and 2
- ◆ allowed reasonable time (normally no more than *four school weeks*) for investigation of the concern
- ◆ accepted any reasonable offer by the College to discuss the result of the investigation
- ◆ taken part in any process of mediation offered by the College
- ◆ put the complaint clearly in writing (normally within *two months* of the event)

The complainant should write to the governing body clerk at the College requesting a meeting of the complaints panel. Enclosed with the letter is a copy of the written complaint submitted at the earlier stages, indicating which matters remain unresolved. No new complaints may be included. The panel consists of three governors who have not previously been involved in dealing with the complaint.

The meeting is arranged *no later than 20 school days* after receipt of the complainant's request for a formal meeting.

Any documents from either the complainant or the Principal to be considered by the panel, and the names of any witnesses or friends who might attend must be received by the clerk at least seven school days before the meeting. Copies of all papers submitted plus the agenda will be sent to the complaints panel members, complainant, Principal and Chairman of Governors at least five school days before the meeting date. The Principal copies relevant papers to any member/s of staff named in the complaint.

The complainant may bring a friend, interpreter or advocate to the meeting.

The Principal may bring a friend or professional representative.

If teachers or other members of staff are asked by the Principal to be present at a complaints committee meeting, they have a right to bring a friend or professional representative.

It is not appropriate for a student to attend, unless they are bringing the complaint on their own behalf being over the age of eighteen.

The panel considers the complaint on the basis of the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the panel chairman has discretion to proceed or to adjourn at any stage.

The committee can:

- ◆ uphold the complaint in full or in part, and make recommendations to the governing body for action
- or***
- ◆ decide to recommend no action be taken ***and*** give reasons for the decision

The clerk sends the complainant, Principal, and Chairman of Governors a letter with the outcome of the meeting within seven days of the meeting.

No further appeal to the governing body is available in the matter of the complaint.

In respect of a grievance arising from a member of staff, *this is heard separately under existing grievance procedures.*

Stage 4 - complaint to the YPLA

If the complainant wishes to pursue the matter further, the YPLA only considers the case if the complaint is one deemed relevant under section 409 Education Act 1996 (Complaints and enforcement). Such a request must be addressed to the Central Academies Unit and be received within *15 days* of the date of the letter from the clerk giving the outcome of the meeting.

3. REVIEW OF POLICY

This policy is reviewed every three years by the Governing Body.

**Ratified by the Learning & Community Committee of the Governing Body
7th October 2011**