



NEWBURY ACADEMY TRUST

Complaints Procedure Policy

DATE APPROVED: February 2016

DATE FOR REVIEW: February 2018

A handwritten signature in black ink that reads 'S. H. Wey'.

SIGNED:

On behalf of the Board of Directors

Complaints Procedure

Name of school: Newbury Academy Trust

The Newbury Academy Trust prides itself on the way in which it provides education and support for children and students, and communicates carefully with families and the local community. On the rare occasions when communication breaks down or there are tensions between home and school, it is important that these matters are resolved quickly, to everyone's satisfaction. In this way, we can strengthen further the positive atmosphere and mutual understanding within which children and students learn and develop most effectively. Often complaints or concerns will be brought informally to the attention of the appropriate member of staff and quickly resolved. However, if this is not the case, then we would implement the following complaints procedure.

The Directors board has delegated the complaints procedure to the local Governing Body of each school. We should make it clear that the Complaints Procedure set out in this document relate to the schools and any community facilities or services which the schools provide. It does not cover complaints about the Curriculum or collective worship (such concerns should be referred to the Headteacher, and further concerns could pass to the relevant Governing Body). Further, there are particular arrangements for staffing matters such as the various disciplinary procedures.

Stage 1

Complaints should be directed to the Headteacher or Deputy Headteacher depending on the nature of the complaint. When a complaint is formalised, it should be passed directly to the designated member of SLT to investigate the matter and take a view. This must be done as swiftly as justice allows. Stage 1 should be completed within 5 working days and similarly for Stage 2 where humanly possible. It may be that the Headteacher is in some way connected with, or has some knowledge of the problem and might nominate another teacher to carry out the investigation, or might make that arrangement in response to a reasonable request from the Complainant. If the Complainant is not satisfied with the result of this investigation, then the matter must be referred either by the Complainant or by the Complaints Co-ordinator to the Headteacher.

Stage 2

The Headteacher now considers the matter. It may be that the Complainant is not simply dissatisfied with the outcome of Stage 1 but also with the way the Stage 1 procedure was carried out. The Headteacher may delegate the collating of information to another member of staff but must make a final decision again as swiftly as is possible and appropriate.

Stage 3

Should the Complainant remain unsatisfied, he or she then needs to write to the Chairman of the relevant Governing Body with the details of the complaint. The Chairman or a nominated Governor, yet to be identified, will convene a Complaints Appeal Panel. The panel will consist of three or five members who will be drawn from the Governors' general Appeals panel. The procedures followed (*in line with the checklist for panel hearing*). The

target for setting a date for the Hearing should be within 5 working days after the matter has moved to Stage 3.

The remit of the Governors' Complaints Appeal Panel

The Panel, following a thorough and impartial investigation, may:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on appropriate action to be taken as a result of the complaint
- Recommend changes to school systems or procedures to ensure that problems of a similar nature do not reoccur.

Guidance for Members of the Governors' Complaints Appeal Panel

- a. The appeal hearing is independent and impartial and it must be seen as such. No Governor with prior involvement in the complaint must sit on the panel. The panel must be truly representative of the Governing Body.
- b. The hearing will be held in private and the aim is always to achieve reconciliation between the school and the Complainant. It must be remembered that the Complainant might not be satisfied with the outcome if the hearing does not find in his/her favour. It may only be possible to establish the facts and make recommendations which satisfy the Complainant that his/her complaint has been taken seriously.
- c. The selected panel will recall that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue which affects their child. The panel Chair will ensure that proceedings are as welcoming as possible.
- d. Care needs to be taken when the Complainant is a student. He/she must not feel intimidated. The panel needs to be aware of the views of the student and give them equal consideration to those of adults. Where the child's parent is the Complainant, it would be helpful to give the parents to say which part(s) of the hearing, if any, the child needs to attend.
- e. The Governors sitting on the panel need to be aware of the details of the school's Complaints Procedure. Further details of how the Governors' Complaints Appeal Panel should operate are to be found in the DCSF document referred to at the end of this procedure. A panel will always be clerked. The Clerk will be the contact point for the Complainant and would be required to:
 - Set the date, time and venue of the hearing, ensuring that they are convenient to all parties
 - Collate any written material and send it to all parties in advance of the meeting
 - Meet and welcome the parties as they arrive
 - Record the proceedings and notify all parties of the panel's decision

Oversight of the Procedures

Either the Chair of the Governing Body, or a nominated Governor, should check that the correct procedure has been followed or, where a hearing is appropriate, ***notify the Clerk to arrange the panel.***

The role of the Chair of the Panel

The Chair of the Panel has a key role, to ensure that:

- The remit of the panel is explained to the parties, and each party has the opportunity of putting the appropriate case without undue interruption
- The issues are addressed and key findings of fact are made
- Parents and others who may not be used to speaking are put at their ease. The hearing is conducted in informal manner where all are treated with respect and courtesy.
- The panel is open-minded and acts independently. No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- That each side is given the opportunity to put his/her case and ask questions and that root material is seen by all parties. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The Chair of the Panel needs to ensure that the Complainant is notified of the panel's decision, in writing, with the panel's response. This should be within three working days of the hearing itself, unless there are exceptional circumstances. Certain complaints will have been exhausted by this procedure; if there is a further right of appeal, this would also be communicated to the Complainant within the above timescale.

The school and the Governing Body will note the advice from the DCSF, DfE, in operating complaints procedures. This procedure has been drafted in the light of Section 29 of the Education Act 2002 and will be amended in the future, either through experience or acting on further advice from the DfE or the LA.