



## **COMPLAINTS RESOLUTION POLICY**

### **INTRODUCTION**

Thomas's Academy prides itself on its openness and on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.

### **STAGE 1 – INFORMAL RESOLUTION**

- Our hope is that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's class teacher. At this stage, a concern may be shared either verbally or in writing / via email. In many cases, the matter will be resolved straight away. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Headteacher.
- Complaints made directly to the Headteacher will usually be referred to the relevant class teacher unless the Headteacher deems it appropriate for him/her to deal with the matter personally.
- Parents should seek to raise any concerns as soon as possible after the event as it may be difficult to deal with a problem that is more than a day or two old.
- At this stage, the class teacher will keep a record of all concerns and complaints and the date on which they were received on our record system CPOMS. Copies of any emails will also be recorded on CPOMS. Should the matter not be resolved within five days or in the event that the class teacher and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

## **STAGE 2 – FORMAL REVIEW**

- If the Parent's concern cannot be dealt with informally or if they are unhappy with the outcome of the informal stage, the Parent may ask the Headteacher to formally review the School's response. In order to request a review, the Parent should write to the Headteacher within 10 days of receiving the School's last response in Stage One to briefly explain their concern or complaint and say how they would like the School to put it right.
- If a Parent wishes to complain about the Headteacher, they should write to the Chair of Governors ("the Chair").
- If a Parent cannot write they, or another person on their behalf, should telephone the School to explain their concern briefly to the Senior Administrator at the school, who will pass it on to the Headteacher or to the Chair if it concerns the Headteacher.
- The Headteacher or Chair will consider the concern or complaint and discuss it with any staff members involved before formally replying in writing or arranging a meeting with the Parent. If possible, a resolution will be reached at this stage. After the meeting (if any) the Headteacher or Chair may make further enquiries before giving the School's formal written reply to the Parent's concern or complaint.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint using CPOMS.
- The Headteacher will seek to provide a written response within 10 days of receiving the complaint, or within 10 days of a parent meeting (if any).
- The Headteacher (but not the Chair) may ask one of the School's Senior Leadership Team to reply or meet with the Parent instead.
- Once the Headteacher is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. This formal response will give the result of the review and the decision on the facts relevant to the concern or complaint and will either uphold all or part of any complaint, or dismiss it entirely.
- If parents are not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### **STAGE 3 – PANEL HEARING**

- If a Parent is not satisfied with the School’s formal Stage Two reply, they may, within 10 days after receiving it, write to the designated Governor, who is appointed by the Governing Body to call hearings of the Complaints Panel and to act in the role of Investigating Officer as appropriate.
- The designated Governor will arrange for a hearing panel which will consist of three members selected from the Governors’ Complaints Panel with no prior involvement in the complaint, at least one of whom will be independent of the running and management of the School (“the Panel”). This independent person will not be a governor, employee, volunteer or member of the Academy Trust that runs the School and may be a governor of another school.
- The designated Governor should arrange a formal hearing within 25 school days of its request giving not less than 10 school days’ notice of the hearing and circulating the agenda and any documents for the hearing not less than 5 school days before the hearing.
- At the hearing the designated governor will act as Chair of the Panel. The Panel will consider all facts and matters relevant to the complaint and hear, in person or in writing, from the Parent, the Headteacher and any others involved. The Parent may attend in person and be accompanied by another person to help them at the hearing if they wish.
- The Chair of the Panel will give the Panel’s decision in writing to the Headteacher, the Parent and any person complained about. The Panel’s decision will be the School’s final response in the matter.
- The Chair of the Panel will make a copy of the Panel’s decision available for inspection at the School by Governors and/or OFSTED as required.

### **TIME LIMITS FOR RESPONSES**

- If, at any point, the School needs more time to investigate, gather information, or make arrangements, it will tell the Parent within the time limits set out above, with an estimate of when the Parent may expect further progress.

## **STAGES 2 and 3 – REMEDIES**

- If all or part of any complaint is upheld, the Headteacher, Chair or Panel will decide the appropriate remedy, which may include but is not limited to one or more of the following:
  - (1) an explanation;
  - (2) an apology;
  - (3) an assurance that the School has taken steps to stop the events which led to the complaint happening again;
  - (4) an assurance that the School will review its policies and procedures in the light of the complaint.
- If, after completing all stages of this complaint resolution policy, the Parent believes that this policy does not comply with the School's legal obligations or that it has not been correctly applied, they may notify the Education and Skills Funding Agency ("ESFA") by completing an online form. The ESFA will not normally investigate the complaint itself or interfere with the Panel's findings.

## **GENERAL MATTERS**

- At each stage the member of staff dealing with the matter will keep a written note of the important points of any meeting or conversation on CPOMS, a copy of which will be given to the Parent on request.
- At all stages the School will keep confidential all correspondence, statements and records relating to individual complaints except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education and Skills Act requests access to them.
- The School will keep a central written record of all formal complaints made in accordance with Stage Two in this Policy recording:
  - (1) The name of the complainant
  - (2) The date and time at which the complaint was made
  - (3) The details of the complaint
  - (4) The desired outcome of the complainant
  - (5) How the complaint is investigated (including written records of interviews held)
  - (6) Results and conclusions of investigations
  - (7) Any action taken by the school as a result of those complaints (regardless of whether they are upheld).

- The School reserves the right to refuse to consider a concern or complaint where the Parent is rude, insulting, abusive, threatening, intimidating or violent or where a parent makes repeated complaints about the same or related matters despite the school having responded.
- This policy does not cover the following:
  - (1) Pupil admissions - Parents may appeal to an independent Committee set up by the Governors.
  - (2) Pupil exclusions - Parents may appeal to a Committee of the Governors and ultimately to an independent Committee set up by the local authority.
  - (3) Special Education provision - Parents may appeal to an independent Committee against the Local Authority's Statement of a child's Special Educational Needs or Education, Health and Care (EHC) plan. The procedures set out in this Policy apply to other complaints concerning special educational needs.
  - (4) Curriculum matters, including Religious education and collective worship - Parents may complain about school curriculum and related matters according to arrangements established by the Governors.
  - (6) Complaints by staff or prospective staff - these are dealt with through the grievance, discipline and whistleblowing procedures
  - (7) Complaints against a third party who hires or uses the School's premises or facilities.

## **SUBJECT ACCESS REQUESTS**

On occasions, a complaint may also involve a Subject Access Request. The details of how the school should respond to such a request can be found in the Data Protection Policy, an excerpt from which is contained below:

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing by email to the Head Teacher.

They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If any member of staff receives a subject access request they must immediately forward it to the Head Teacher.

This policy is made available to parents on our website [www.academy.thomas-s.co.uk](http://www.academy.thomas-s.co.uk). It is also available on request. Parents are welcome to contact their school to request the number of complaints that there have been during the last 12 months.

**See also:**     [Behaviour Policy, Code of Conduct, Terms & Conditions, Data Protection Policy](#)

<b>This policy will be reviewed annually</b>		
Last Reviewed: September 2022	By:	Miles Chester, Principal of Thomas's Academy Trust
Next review: September 2023	By:	Suzanne Kelly, Headteacher