

WEST TOWN LANE ACADEMY
WHERE LEARNING IS AN ADVENTURE
Complaints Procedures (Full Statement)



We hope that your involvement with all of us at West Town Lane will be a happy one. We have tried to outline in our Policies and Prospectus procedures and guidelines that ensure children have a stimulating and safe environment in which to learn. We have made explicit some of the values we will be emphasising, and the code of conduct we will expect children to observe. We would like to assume that in deciding to send your child to our school, you are indicating that you share with us those same values and expectations.

However, it is inevitable that from time to time difficulties and problems arise. Set out below are the steps we would ask you to follow if you feel you have cause for complaint on any issue connected with your child's learning:

Complaints Procedure

In order to investigate your complaint as fully as possible the governing body of West Town Lane Academy has implemented a staged approach. We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below, and that Stage 3 and 4 and Part 2 will only need to be followed on very rare occasions.

PART 1: Complaints Procedure

Stage 1: The first contact

1.1. Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.

1.2. If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.

1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.

1.4. If the matter is brought to the attention of the Headteacher he (or nominated Deputy) may decide to deal with concerns directly at this stage; if the complaint is against the Headteacher the parent will be advised to contact the chair of the governing body.

1.5. The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.

1.6. Where no satisfactory solution has been found within ten working days of the incident being reported, parents will be advised that if they wish their concern to be considered further they should write to the Headteacher using the form in the Appendix. This form must be with the Headteacher within ten working days.

Stage 2: Referral to the Headteacher for investigation

The Headteacher may refer this to a member of the senior team to investigate on his behalf, hereafter referred to as the 'designated person'.

2.1 The designated person will acknowledge the complaint in writing within three school days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within fifteen school days (i.e. excluding weekends and school holidays). If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

2.2 The designated person will provide an opportunity for the complainant to meet them to supplement any information provided previously. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf. Once a date has been agreed by all parties, an alternative date would only be offered in exceptional circumstances in cases of non attendance.

2.3 If necessary the designated person will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

2.4 The designated person will keep written records of meetings, telephone conversations and other documentation.

2.5 Once all the relevant facts have been established as far as possible, the designated person will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the chair of governors within four weeks of the date of the letter. If no complaint is made within that time period it will be closed.

2.6 If, in the course of an investigation, a fault is identified, the headteacher should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

What if the complaint is about the headteacher?

If the complaint is against the Headteacher, or if the Headteacher has been closely involved at Stage 1, the chair of the governing body will carry out all the Stage 2 procedures.

What if the complaint is about a governor?

The complainant should still contact the chair of governors who will investigate the concerns. If the complaint is about the chair of governors the complainant should be referred to the vice chair. If the complaint is about the governing body as a whole, the complainant should be referred to the Education Funding Agency (EFA).

Stage 3: Review by the Governing Body

3.1 The chair of the governing body will write to the complainant to acknowledge receipt of the written request for the governing body to review the complaint. The acknowledgement will inform the complainant that three members of the Academy Trust will hear the complaint within twenty school days (i.e. excluding weekends and school holidays) of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members.

3.2 A meeting of the Governors' Complaints Panel will be convened by the chair of governors and a clerk to the panel will be appointed.

The Complaints Panel can be drawn from the whole governing body. Governors with prior involvement must not be included on the panel and at least one member must be independent of the management and running of the Academy. If s/he has not previously been involved the chair of governors can chair the panel. However this does not need to be the case. It is up to the Complaints Panel to decide who should be its chair. When deciding on the make up of the panel, bear in mind the advantages of including a parent governor and if possible having a balance of race and gender. It is not appropriate for the Headteacher to sit on the panel. Careful consideration will need to be given whether it is appropriate for staff governors to be appointed as panel members; in many instances this may lead to a conflict of interest.

3.3 The Chair of the Complaints Panel will ensure the panel hears the complaint within twenty school days (i.e. excluding weekends and school holidays) of receiving the letter. All relevant correspondence relating to the complaint will be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to panel members.

3.4 The Clerk will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted.

3.5 The Headteacher will be invited to attend the panel meeting and will be asked to prepare a written report for the panel in response to the complaint. All concerned, including the complainant, should receive any relevant documents including the Headteacher's report, at least five school days prior to the meeting. The Headteacher may also invite the designated person or other members of staff directly involved in matters raised by the complainant to respond in writing or person.

3.6 The meeting should allow for:

- The complainant to explain their complaint and the Headteacher to explain the school's response;
- The opportunity for both parties to ask questions of each other about the complaint;
- Panel members to have an opportunity to question both the complainant and the Headteacher
- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses;
- Final statements by both the complainant and the Headteacher.

It is the responsibility of the Clerk of the panel to ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. The notes do not need to be verbatim but should be sufficient to remind the panel of the evidence that has been presented and the reason for the decision.

3.7 The Chair of the Panel will explain to the complainant and Headteacher that the panel will consider its decision and that a written decision will be sent to both parties within five school days. The complainant, Headteacher, other members of staff and witnesses will then leave.

3.8 The panel will then consider the complaint and all the evidence presented and:

- Reach a majority decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint; and, where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.9 A written statement outlining the decision of the panel must be sent to the complainant and Headteacher. The letter to the complainant should also explain how a further appeal can be made (See **Stage 4**).

3.10 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Stage 4 Review of the Governing Body Complaints Panel Decision

4.1 If a parent or pupil is making the complaint, and they wish to go beyond the governors' complaints panel, they should be advised to contact the Education Funding Agency (EFA).

EFA Contact Information: By email: <http://www.education.gov.uk/help/contactus>, by telephone: Tel: 0370 000 2288 or letter: Education Funding Agency (Bristol) Freshford House Redcliffe Way Bristol BS1 6NL

You are also within your rights to refer any concerns to Ofsted directly.

Ofsted Contact Information: By email: <http://www.ofsted.gov.uk/contact-us>, by telephone: **0300 123 4234** or letter: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

Part 2: Unreasonably persistent complainants and unreasonable complainant behaviour

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We are sure that you will understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. However the school does not expect its staff or governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and they will take action to protect staff and governors from any such behaviour if it occurs. Also, there may be complainants who, because of the frequency of their contact with the school, hinder our consideration of their, or other people's, complaints and potentially the running of the school.

We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we may take action to restrict the complainant's contact with the school.

The decision to restrict access to the school will be taken by the headteacher and chair of governors. Any restrictions imposed will be appropriate and proportionate. They may include:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or governor;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or governors, we will consider other options, for example reporting the matter to, the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainants policy will be treated on their merits.

.....Chair of Governors

October 2015

Appendix A

Information for parents/carers that will be included on the school website and be available from the school office on request.

WEST TOWN LANE ACADEMY

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Parent/Carer Complaints Information

If you have a concern or complaint

We would like you to tell us about it. We welcome suggestions for improving our work in school. Be assured that no matter what you are wanting to tell us, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

What to do first

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher/ Key Stage Leader.

If you still have concerns you should then contact the Head teacher. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relative to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the issue. It may also help to prevent a similar problem arising again.

What to do next

If you are not satisfied with the Head teachers initial response to your questions or concerns you can make a formal complaint to the Headteacher. This should be made in writing. A proforma is available from the office if you wish to use it.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors. You can contact him/her by writing a letter, which should be handed in to the office.

You may also find it helpful at this stage to have a copy of the full statement of the School Complaints Procedures as this explains in detail what procedures are followed. This is available from the school office.

The Headteacher will ask to meet you to discuss the problem. Again you may take a friend or someone else with you if you wish. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

If you are still unhappy

The problem will normally be solved before it reaches this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Headteacher will also attend. The School Complaints Procedures explains how these meetings operate.

Further Action

Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to an outside body such as the Education Funding Association (EFA). Again there are more details about this in the School Complaints Procedure.

What actions, if any, have already been taken to try and resolve the complaint (e.g. Who did the complainant speak to and what was the response)?

What actions does the complainant wish to see that might resolve the problem?

Has the complainant provided any paperwork? List documents here and keep copies with this note.

Date acknowledgement sent

By Whom

Complaint referred to:

Date:

Appendix C

Complaints form for Parents/ Carers

WEST TOWN LANE ACADEMY

WHERE LEARNING IS AN ADVENTURE

Your Name:

Pupil's Name:

Your relationship to the pupil:

Address:

Postcode:

Contact 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:

Name in Capital letters:

Date:

For official use only

Date acknowledgement sent:

By whom:

Complaint referred to:

Action:

Date:

Appendix D

Governing body complaints panel: roles and responsibilities

The clerk to the governors is the contact point for the complainant and is required to:

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the meeting;
- meet and welcome the parties as they arrive at the meeting;
- record the proceedings;
- advise the panel on procedural issues;
- notify all parties of the panel's decision.

The *chair of the governing body* or the nominated governor needs to check that the procedure has been correctly applied and, if a meeting is appropriate, liaise with the clerk to arrange the panel.

The Chair of the panel needs to ensure that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- those attending the meeting to give evidence are put at ease;
- the meeting is conducted in a professional, but not overly formal, manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting 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;
- each side is given the opportunity to state their case and ask questions;
- written 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.

Checklist for a panel meeting

The panel needs to take the following points into account:

- The meeting should be professional, but not overly formal.
- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.

- The complainant may question both the head teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The head teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Notification of the panel's decision

The chair of the panel will ensure that all parties to the complaint are notified of the panel's decision, in writing, with the panel's response, within five schooldays of the panel meeting. The letter needs to explain that if the complainant is not satisfied with the outcome of the complaint, they can refer the matter to the DFE or Ofsted if s/he believes that the governing body has acted unreasonably, or has failed to carry out its duties properly.

Please note that the Independent School Standards Regulations require the number of complaints registered under the formal complaints procedure during the previous school year to be made available to parents of pupils at the Academy.

Written records of complaints and their outcomes must be kept for three years

.....Chair of Governors

October 2015