

Title	Complaints
Associated Policies	<ul style="list-style-type: none"> Whistleblowing (TPO/STA/19) Safeguarding and Child Protection (TPO/HS/05)

REVIEWED: MARCH 2017

NEXT REVIEW: MARCH 2020

1. Policy Statement

1.1 In the case of any concern or complaint, The Brooke Weston Trust and the Academy will aim to deal with the situation as quickly as possible to the satisfaction of all parties.

1.2 Definitions:

- A **concern** is any query concerning the operation of the Academy which reflects adversely upon it
- A **continuing concern** is any query left unsolved or any query which is received more than once
- A **persistent concern** is any query which is repeatedly brought to the attention of the Academy
- A **complaint** requires the attention of the Senior Leadership Team of the Academy. Complaints are defined as matters relating to breaches of the law, to non-compliance with DfE regulations, any issue which would bring the reputation of the Academy into disrepute and any unresolved persistent concerns

1.3 This policy does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the Trust.

2. Who does this policy apply to?

2.1 This policy applies to all staff, parents, students, visitors and trustees of the Academy.

3. Who is responsible for implementing and reviewing this policy?

3.1 The implementation of this policy will be monitored by The Brooke Weston Trust and the governors of the Academy and remain under review by The Brooke Weston Trust Board of Directors.

4. What are the principles behind this policy?

- 4.1** The Brooke Weston Trust is serious about the quality of its service and will continuously review its standards. Opinions of stakeholders may be sought in a variety of ways throughout the academic year. One of the ways to accomplish this is to have open and clear channels of communication, and to take seriously concerns or complaints by any of the people affected by The Brooke Weston Trust.
- 4.2** The Brooke Weston Trust will seek to ensure that all concerns or complaints are managed as quickly and effectively as possible and in a manner which respects confidentiality and is non-adversarial in approach.
- 4.3** The Brooke Weston Trust will seek to determine an effective outcome of concerns or complaints with appropriate redress where necessary.
- 4.4** In line with The Brooke Weston Trust's commitment to improving quality, where appropriate the outcome of concerns or complaints will be used to inform further improvement in its operations and services.

5. Procedures

Concerns

5.1 Concerns (as defined in 1.2 above) will be dealt with by the member of staff who in the view of the Principal is best placed to address the issue.

- 5.2 Upon receipt of a concern expressed in writing an initial response will be provided as soon as possible and in any event within 5 school days and a final resolution of issues arrived at as soon as possible.
- 5.3 Resolutions may include an apology, explanation, admission that the situation could have been dealt with more effectively, an assurance that the situation will not recur or that The Brooke Weston Trust or Academy will review the procedure in light of the complaint.

Complaints

- 5.4 Complaints (as defined in 1.2 above) are matters for the senior leadership team or exceptionally, for the Chief Executive to address.
- 5.5 Once the complaint has been expressed in writing a record of the process of the resolution of the complaint will be kept on the Complaints Action Record which will be retained by the Academy and held by the Principal's PA.
- 5.6 In every case an initial response will be provided as soon as possible and in any event within 5 school days and a substantive response provided as soon as possible or within 15 school days. Complainants will be notified of any changes to the timescale where these are not reasonably practicable.

Stage 1

- 5.7 The complaint will be heard internally by a member of the senior leadership team who is neither the Principal nor the subject of the complaint within 5 school days of the initial response, where practicable. At this stage, the complainant may request an alternative member of staff if they have a difficulty with the nominated member of the SLT.
- 5.8 This discussion should aim to clarify the nature of the parent's concern and assure them that the academy will deal with any concerns in an appropriate manner. The discussion should also aim to clarify what kind of outcome the complainant is seeking. A substantive response to the complaint will be provided as soon as possible or within 15 school days.
- 5.9 This will be an informal meeting however notes will be taken to ensure a proper record is held of the discussion of the concerns raised and/or any proposed measures to resolve the complaint.
- 5.10 If the complainant is dissatisfied with the outcome of the complaint it may be referred to stage 2.

Stage 2

- 5.11 Unless the Principal is the subject, the complaint will be heard by the Principal within 10 school days, where practicable, of being notified that the complainant is unhappy with the outcome of Stage 1 in accordance with paragraph 5.11. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded. The hearing will not involve any individual who has been involved in the previous stage of the complaint. If the complaint involves the Principal, the Principal will refer the complaint directly to the Local Governing Body.
- 5.12 Complainants who wish to pursue a formal complaint at Stage Two should be asked to put the complaint and their desired outcome in writing to the Principal. The complainant is invited to provide any relevant supplementary documentation to support their complaint.
- 5.13 Once all the relevant facts have been established, the Principal (or designated member of staff) should either write to the complainant or arrange a meeting to discuss or resolve the matter, addressing each of the issues raised by the complainant. This meeting should be followed up with a letter summarising the outcome of the meeting. A substantive response to the complaint will be provided as soon as possible or within 15 school days.
- 5.14 The Principal (or designated member of staff) should keep written records of meetings, telephone conversations and other documentation.
- 5.15 If the complainant is dissatisfied with the outcome of the complaint after Stage 2 they may access Stage 3 of the procedure.

Stage 3

- 5.16** On receipt of a request to access stage 3 of this procedure, the Principal will refer the complaint to the Local Governing Body for further investigation. An initial response will be provided as soon as possible and in any event within 5 school days. The Local Governing Body will appoint a single governor to investigate the complaint. They may refer to any relevant documentation from the previous stages of the complaints process.
- 5.17** Once the investigation has been completed, the Governor (on behalf of the Local Governing Body) will review all the information and may wish to discuss the complaint with the complainant further with the aim of resolving the complaint.
- 5.18** The Governor (on behalf of the Local Governing Body) will decide on the outcome and inform the complainant in writing of the decision (within 15 school days), together with details of the final stage of the complaints process if they remain dissatisfied. A meeting may also be arranged to convey the reasons for the decision.
- 5.19** In exceptional circumstances, where the complainant is dissatisfied with the outcome of Stage 3 they may request to consider the complaint at Stage 4.

Stage 4

- 5.20** This is the final stage of the of The Brooke Weston Trust's complaints process. The complainant must write to the Chief Executive of The Brooke Weston Trust at Brooke Weston Coomb Road, Great Oakley, Corby, Northamptonshire, NN18 8LA outlining the nature of the complaint in the Complaints Form set out at Annex A. An initial response will be provided as soon as possible and in any event within 5 school days.
- 5.21** The Chief Executive will convene a complaints panel of 3 members to attend a meeting with the complainant within three weeks (excluding school holidays) of acknowledgment of the complaint, unless this is not reasonably practicable. The Chief Executive will inform the complainant of the reason for any delay in convening the meeting. The complaints panel will be comprised of any BWT local governing body members or senior members of staff within the Trust. None of the members of the complaints panel will have been involved in any of the previous stages of the complaint or the circumstances around it. One of the panel members must be independent to the management and running of the Academy. The committee will appoint its own Chair when it is constituted.
- 5.22** The aim of the meeting will be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the committee does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- 5.23** It is acknowledged that many complainants feel nervous and inhibited in a formal setting especially where sensitive matters are to be discussed. The panel chair will ensure that the proceedings are as welcoming as possible, that the setting is informal and not adversarial.
- 5.24** Where a complaint involves a child, the committee, in conjunction the parent/guardian, will determine the degree of the child's involvement in the hearing. It would not normally be appropriate for the child to be present throughout the meeting. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The committee needs to be aware of the views of the child and give them equal consideration to those of any adults at the meeting.
- 5.25** The complainant and the subject of the complaint should be permitted to bring a friend to the panel for support unless there are good reasons why this may not be appropriate.
- 5.26** The outcomes of the complaints panel meeting are as follows:
- Dismiss the complaint in whole or in part

- Uphold the complaint in whole or in part
- Decide upon an appropriate action to resolve the complaint
- Recommend changes to the Academy's or Trust's systems or procedures to ensure that problems of a similar nature to not recur

5.27 A substantive response to the complaint will be provided as soon as possible or within 15 school days.

6. Vexatious Complaints

- 6.1 If, after all stages of the complaints procedure have been followed, the complainant tries to reopen the same issue, the Chief Executive should inform the complainant in writing that the procedure has been exhausted and that the matter is now closed from the Trust's point of view.
- 6.2 If the complainant wishes to take their complaint further, they can currently write to the Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ which has its own Procedures for dealing with complaints about Academies. More information can be found at:
<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school>

7. Policy Review

- 7.1 This policy will be monitored as part of the Academy's annual internal review and reviewed on a three year cycle or as required by legislative changes.

ANNEX A**Complaints Form**

Complainants should be provided with the format outlined below in order to formulate their evidence to the panel.

Your Name:	
Student's Name:	
Your relationship to the student:	
Address:	
Postcode:	
Day time telephone number:	
Evening 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:	
Date:	

Official Use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

ANNEX B

Checklist for Complaints Panel Meeting

Where possible, the Complaints Panel hearing should follow the format laid out below. This should only be deviated from with the consent of both parties. Some complainants may not feel comfortable speaking to or in front of the Principal and this should be taken into account when formalising the procedure. The meeting should be as informal as possible.

- 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 Principal may question both the complainant and the witnesses after each has spoken.
- The Principal is then invited to explain the Academy's actions and be followed by the Academy's witness.
- The complainant may question both the Principal 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 Principal is then invited to sum up the Academy's actions and response to the complaint.
- Both parties leave together while the committee decides on the issues.
- The chair explains that both parties will hear from the panel as soon as possible but in any event within a seven day period.