

COMPLAINTS POLICY



Latest review undertaken on 15th July 2024

By the Full Governing Body

Next review: Summer 2025

Statutory Policy

All Schools and Academies are required to establish a Complaints Procedure.

We aim to ensure that Hadrian Academy is a happy, safe and caring school so that our pupils benefit from the best possible education. Governors and Staff are committed to working with parents and carers to this end. The vast majority of concerns and complaints can be resolved informally, often straight away by the class teacher or Principal. However, we recognise that there may be times when parents, carers and other stakeholders have concerns or complaints which they wish to bring to our notice.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Hadrian Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Hadrian Academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Hadrian Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Principal via the school office. Please mark them as Private and Confidential. Complaints that involve or are about the headteacher should be addressed to Angela Leishman (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Joanna Loisel (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Hadrian Academy, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs School reorganisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with either Luton or Central Bedfordshire local authority (depending on the authority in which the child lives)
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for

	safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school's complaints procedure.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to

the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Hadrian Academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Hadrian Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

General Principles

All complaints will be dealt with in a transparent way and in a timely and fair manner.

If the procedure is invoked, complainants will be kept informed of the progress of their complaint. At each stage we will promptly consider ways in which the matter can be resolved.

At the end of the process, the aim is to ensure that if the complaint is not upheld, the complainant

- understands and accepts the school's actions and procedures

If the complaint is upheld in whole or in part-, one or more of the following will be offered:

- an apology
- an explanation
- an admission that the matter could have been handled differently or better
- an assurance that the event complained of will not recur and an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

It should be noted that an acceptance that the school could have handled the matter better is not an admission of negligence.

At each stage the person investigating the complaint will:-

- Establish what has happened so far and who was involved.
- Clarify the nature of the complaint
- Meet with or contact the complainant
- Clarify with the complainant what might put things right

Interview with an open mind those involved or those complained of (allowing them to be accompanied):

- Respect people's desire for confidentiality
- Ensure that all paperwork is retained

Each of these stages will be conducted in a timely fashion and unnecessary lapses will be avoided as far as possible.

Stages of the Procedure

It is expected that most concerns and minor complaints can be resolved quickly and informally.

- If you do have a complaint or concern speak to your child's class teacher or support worker in the first instance
- If the matter cannot be resolved in this way and in a timely fashion then it will be necessary to proceed to the formal stage
- If the complaint is about the Principal you should proceed to Stage 2 and write to the Chair of Governors
- If the complaint is about an organisational matter please put in writing to the Principal in the first instance
- If the complaint is about the Trustees they should proceed to write to the EFA

STAGE 1

- You, the Complainant must write to the Principal describing your complaint
- The Principal will investigate the matter and respond in writing as soon as possible but **within ten working days**
- If the matter is not resolved to the satisfaction of both parties then it will be necessary to proceed to the next stage

STAGE 2

- You, the complainant, should now write to the Chair of Governors stating the nature of the complaint
- The Chair will then investigate the matter on behalf of the Governing Body within four weeks of receiving the complaint
- Following the investigation, the Chair will present the results of her /his investigation to you, the complainant, via a letter from the Principal
- If you are unhappy with the outcome, you may appeal to the Governing Body Complaints Appeal Panel to convene a hearing within four weeks of your written request at stage 3

STAGE 3

- If the Matter is still not resolved the Governing Body, through a COMPLAINTS PANEL, will invite you, the Complainant, to explain the complaint in more detail
- After listening to all parties and considering the evidence, the Panel will attempt to resolve the complaint. Further details regarding procedures are set out below
- The Committee will write to you, the Complainant, within seven days with their conclusion
- If you are dissatisfied with the outcome of STAGE 3 you should then move to Stage 4 which involves the EFA (Education Funding Agency)

Stage 3 Procedures

Upon receipt of a written request from the complainant for the complaint to proceed to Stage Three, the following procedure should be followed. A suitable clerk to the panel should be appointed.

1. The clerk should write acknowledging receipt of the written request, informing the complainant that a committee of the governing body will hear it within 20 working days of receipt.
2. The clerk should convene a meeting of the complaints committee at a time that is convenient for the complainant and the academy.
3. The clerk should ensure that the complainant, Principal and any other witnesses are given at least 5 days' notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant should also inform him/her of their right to be accompanied by a friend/relative who can act as an advocate. The chair should ensure that interpretation facilities for the hearing are offered and made available if required. The letter should set out the procedure for the conduct of the hearing and the complainant's right to submit further written evidence to the committee.
4. The clerk should invite the Principal to attend the hearing and to submit a written report for the committee in response to the complaint. The Principal may also invite the Chair of Governors or any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the chair of the committee.

5. All relevant documents should be received by all parties, (including the complainant), at least 3 days before the meeting of the panel. This provides adequate opportunity to read them prior to the start of the meeting.

6. The panel should elect a chairperson who should ensure that proper minutes of the meeting are taken.

7. The chair of the panel should try to ensure that the proceedings are sufficiently informal as possible and that the complainant and other participants feel at ease.

8. The meeting will proceed as follows:

- The chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the academy and the complainant
- The complainant describes her/his complaint and may call witnesses
- The governors' panel may seek clarification from the complainant and any witnesses
- The Principal will respond to the complaint and may call witnesses
- The complainant may seek clarification from the Principal and any witnesses
- The governors' panel may seek clarification from the Principal and any witnesses
- The Principal will be given the opportunity to sum up
- The complainant will be given the opportunity to sum up
- Both parties will leave the room to allow the panel to deliberate
- The panel should make a decision or judgement on: the validity of the complaint; appropriate action to be taken by the academy and/or parent; and where appropriate, recommendations on changes to the academy's systems or procedures to ensure similar problems do not arise in the future
- The decision or judgement will be confirmed in writing within 7 days and the letter will further state the rights of appeal and if so, to whom they should be addressed

9. The academy should ensure that a copy of all correspondence and notes is kept confidentially on file in the academy. This should be separate from students' personal records.

10. The broad outcomes recommended by the panel can be reported to the next full governing body or appropriate committee with the identity of all those taking part kept confidential. The governing body should monitor implementation of the recommendations.

Roles and responsibilities

The Governing Body Complaints Appeal Panel

The Governing Body Complaints Appeal Panel will be made up of between 3 to 5 members, one of which must be independent of the management and running of the academy. No person involved should have previous involvement in the complaint. It is important, should a complaint reach the appeal stage, that the governing body is impartial and independent

and is seen to be so. Individual complaints should not be considered by the full governing body. The findings of the Governing Body Complaints Appeal Panel are final.

The role of the clerk

The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, 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 hearing (recommended at least five school days in advance);
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision

As best practice, the Clerk should share copies of the panel meeting minutes with all parties involved in the panel hearing, providing a reasonable opportunity for the minutes to be agreed and if necessary, challenged.

The role of the Chair of the Governing Body or the nominated governor

The nominated governor role:

- Check that the correct procedure has been followed;
- If a hearing is requested, notify the clerk to arrange the panel

The role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring 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;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy with the opportunity to state their case and ask questions;
- 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;
- 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

STAGE 4

It is important to note that the EFA can only consider complaints about Academies where the complaint falls into one of the following areas:

- **That the Academy did not comply with its own complaints procedure when considering a complaint or the Academy's complaints procedure does not comply with the statutory requirements**

The EFA cannot review or overturn an academy's decisions about complaints, but will look at whether the academy considered the complaint appropriately. The EFA will generally only do this after a complaint has been through the academy's own procedure, but may investigate sooner if there is evidence of undue delays by the academy. If the EFA finds that an academy did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy's complaints procedure does not meet statutory requirements then the EFA will ensure it is put right.

- **That the academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State**

One of the EFA's main responsibilities is to ensure that academies comply with their funding agreement with the Secretary of State. This is published on the school's website. The EFA will seek to resolve any concerns regarding potential or actual breaches of the Funding Agreement with the academy directly but this will depend on the evidence provided. Once the EFA is satisfied that an academy is in breach of the Funding Agreement, and that the breach cannot be addressed informally, then, if appropriate, it will seek to enforce compliance through the courts.

The EFA will consider evidence that an academy has failed to comply with any other legal obligation placed on it. However, there may be another organisation that is better placed to consider the matter, in which case the EFA will refer the complainant or the complaint to them. This may include, but is not limited to, a court of law or other tribunal of competent jurisdiction, local authorities or regulatory bodies. Enforcement of any breach of a legal obligation will either be through the mechanism of the organisation to which the complaint has been referred or by the EFA, whichever is appropriate.

Details of the role of the EFA are given on the DfE website at:

After you've followed the school's complaint process

You can [complain to the Department for Education \(DfE\)](#) if you've followed all the 'Make a complaint' steps.

Complain about how a whole school is run

You can [complain to Ofsted](#) if you think a school is not run properly. You must have already followed the school's complaints procedure.

You should get a response within 30 working days. It will tell you if Ofsted will investigate or not, and why.

Complaints about Academies should be made in writing to:

Department for Education
Castle View House

**East Lane
Runcorn
Cheshire WA7 2GJ**

or by using the Complaints Form available from the DFE website or the school.

Vexatious, repetitive or malicious complaints

The school will resist abuse of the complaints procedure and may reserve the right not to investigate any complaints considered to be vexatious, repetitive or malicious or where the headteachers and chair of governors is satisfied with the actions already taken.

Monitoring and Review

The Governors will monitor the Complaints Procedure regularly, in order to ensure that all complaints are handled correctly. The Principal will log all complaints received by the school and record how they were resolved. The Governing Body will examine the Log on an annual basis.

The Governors will take into account any local or national decisions that affect the complaints process and make any modifications necessary to the policy.

This Policy is made available to all parents and carers in order that they may be properly informed about the Complaints Process.