

# St. John the Evangelist Catholic Academy

*Part of the Newman Catholic Collegiate*



## Policy on Complaints

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Ratified by the Academy Committee	Date: April 2015
Date for review:	Date: June 2018

## St. John the Evangelist Catholic Academy



### Complaints Policy

#### 1. Introduction

St. John the Evangelist Catholic Academy aims to work in partnership with parents and the community in the best interests of the children and any concern/complaint will be given careful consideration and dealt with fairly and honestly.

The Academy will provide sufficient opportunity for any concern/complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding. The Complaints Procedure is not intended to replace the normal informal discussions which take place between parents and staff in school on problems and concerns as they arise. Most of these issues can be resolved through this dialogue. If the parent or other person making the complaint feels that a concern has not been solved through discussion with the class teacher or that it is of a sufficiently serious nature, an appointment to discuss it with the Headteacher should be made.

#### **Stage 1 (Informal) : School Level**

1. The Academy will carry out the investigation of the concern. It will be the Principal's responsibility to decide who should conduct the investigation. This will most likely be a senior member of staff.

2. If the issue is not resolved to the complainant's satisfaction, he or she should be advised to proceed to the formal stage of the Complaints procedure.

#### **Stage 2 : Chairman of the Academy Committee/Nominated Academy Committee Representative**

1. The Chair of Academy Committee/Nominated Academy Committee Representative will need to reach a decision as to whether the complaint has been properly dealt with. At this stage the issues should not be discussed with other Academy Committee Representatives. Confidentiality is important in

handling a complaint as it could lead to the implementation of a personnel procedure.

2. The Chair/Nominated Academy Representative will be not expected to re-conduct an investigation. However, he/she needs to ensure that issues have been dealt with properly and fairly. The general principle is that the academy should be in a position to produce documentary evidence that the complaint has received fair and proper consideration within the academy's procedure.

3. If the Chair/Nominated Academy Representative has any concerns about the way the process was conducted it may be necessary to ask the Principal to re-open the investigation. The complainant should be kept informed of any delay. If the Chair/Nominated Academy Committee Representative believes that the matter has been dealt with properly and fairly then he/she will notify the complainant of this.

4. Written replies to complainants should aim to answer all the points of concern, be factually correct, avoid jargon and tell the person what to do next if they are still not satisfied. It may be appropriate for the Chair/Nominated Academy Committee Representative to telephone the complainant, but it is good practice to follow this up with a letter to make sure there is no misunderstanding.

5. If an individual Academy Committee Representative is approached about a concern then the Representative should direct the complainant to the Principal with a view to resolving the issue informally. If this is not felt to be appropriate, the Representative should refer the complainant to the procedure. The Representative should not become involved in any detail of the concern at this stage.

### **Stage 3 : Academy Committee Panel**

1. If the complainant is still not satisfied, a panel of three Academy Committee Representatives should be convened to hear the complaint and make a final decision about it on behalf of the Academy Committee. The Representatives appointed to the Panel should have had no previous involvement in the complaint.

2. The primary function of the Complaints Panel is to decide on the merits or otherwise of the complaint. However, the Panel will also play an important role in attempting to resolve the complaint. The Panel should reach a decision on whether the complaint is upheld or rejected and may call for certain action

to be taken by the academy or the parents.

3. The Panel should invite written evidence from the complainant and the Principal, on the complaint and the action taken to resolve it. Any written evidence should be circulated to all parties before the hearing.

4. The procedure for the hearing is as follows :

- Introduction by the Chair of the Panel
- Complainant makes statement of complaint and outcome sought
- Questions to complainant by Panel and Principal
- All parties hear and question any witnesses called by complainant
- Principal makes statement
- Questions to Principal by Panel and complainant
- All parties hear and question any witnesses called by Headteacher
- Complainant makes final statement
- Principal makes final statement
- Panel withdraws and reaches decision

5. The meeting will be minuted by the Clerk to the Academy Committee. Both the complainant and the Principal will be entitled to be accompanied by a friend who can speak on their behalf if necessary.

6. The decision reached by the Panel will be notified to the complainant. It should also be reported back to the next meeting of the full Academy Committee. Only a brief summary should be provided with no detailed or named information; this will ensure that any further actions will not be jeopardised.

7. Where it is not possible to respond to complaints within the timescale outlined in the Procedure, the complainant should be informed in writing of the reason for the delay and given an anticipated response date. The complainant should be allowed a reasonable timescale in which to decide whether to refer a complaint to the next stage.

### **Local Authority Role**

1. The LA has no power to investigate complaints about general matters which are the responsibility of the Academy Committee and Board of Directors (see below for matters covered by statutory procedures). If parents approach the LA with a complaint about the Academy, they will be advised to contact the Academy and to follow the Academy's Complaints Procedure.

2. If the complainant is not satisfied by the Academy's procedures, there is no right of appeal to the LA. However, the LA can play a useful role in mediating between the parties and helping to reach a mutual understanding or agreement.

### **Independent Review**

1. If the complainant remains dissatisfied with the response by the Academy Committee, he or she would have the right to refer the matter to the Secretary of State for Education on the grounds that the Academy Committee had failed to discharge a statutory duty or that the Academy Committee had acted, or was proposing to act unreasonably. This could lead to the issuing of a direction against the Academy Committee.

2. The Local Government Ombudsman can only consider complaints about school Governing Bodies which relate to Admissions. If the matter is not concerned with Admissions, it would not be appropriate to direct a complainant to the Ombudsman.

## **COMPLAINTS PROCEDURE**

### **Introduction**

1. This procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by academy staff. These are the subject of separate procedures, mostly under the duties of the Local Authority.

2. The Academy aims to work in partnership with parents and the community in the best interests of the children and any concern/complaint will be given careful consideration and dealt with fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

3. Most concerns/complaints are best dealt with informally. If you have any concerns/ complaints about the Academy, the education provided or the child's progress and welfare, please discuss the matter with the child's teacher at the earliest opportunity.

### **The Procedures**

#### **Stage 1 : Informal**

1. If you feel that a concern has not been addressed through discussion with the class teacher, or that the concern is of a sufficiently serious nature, please make an appointment to discuss it with the Principal. The Principal considers any such concern very seriously and most can be resolved at this stage.

### **Stage 2 : Formal**

2. If the matter cannot be resolved, or your concern is about the Principal, then it may be appropriate for you to write to the Chairman of the Academy Committee to make a formal complaint. Please state the nature of the complaint, the steps taken to resolve it and the action you would like to see taken to remedy your concerns. The Chairman of the Academy Committee or a nominated Representative will review the way in which the complaint has been handled by the academy and ensure that the issues have been dealt with properly and fairly. He/she will normally write to you with the outcome of this process within 14 days of receiving the complaint.

### **Stage 3 : Formal**

3. If you are not satisfied with the result, you may ask to refer your complaint to Stage 3 of the procedure in which a Panel of Academy Committee Representatives will meet to consider the complaint and make a final decision about it on behalf of the Academy Committee. The Panel will consist of Representatives who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 14 days of your request.

4. You will have the opportunity to submit written evidence on the complaint prior to the meeting of the Panel and also to attend part of the meeting, accompanied by a friend/partner if wished, to put your case. The Principal will be given the same opportunities. The Panel will write to you with its conclusion within five working days of the meeting.

5. The decision of the Panel is final. If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education.

### **Monitoring and Review**

6. The Academy Committee monitors the complaints procedure in order to ensure that all formal complaints are handled properly. The Principal logs all formal complaints received by the academy and records how they were resolved. Academy Committee Representatives examine this log on an annual basis and consider the need for any changes to the procedure.

**A copy of this procedure is available to all parents on request.**

### **Checklist for a Panel Hearing**

The Panel needs to take the following points into account :

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introduction, 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 witnesses.
- The complainant may question both the Headteacher 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 Panel decides on the issues.
- The Chair explains that both parties will hear from the Panel within a set timescale.

Please complete and return this form to the Clerk to the Academy Committee,  
St. John the Evangelist Catholic Academy, The Avenue, Kidsgrove, Stoke-on-  
Trent, Staffs, ST7 1AE

The Clerk will acknowledge receipt and explain what action will be taken.

Your Name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Daytime 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?)	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	

<b>For official use :</b>	
Date acknowledgement sent	
<b>By whom</b>	
Complaint referred to :	