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# **FOJANGA ACADEMY**

**ACHIEVING EXCELLENCE TOGETHER**

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## **PARENTAL COMPLAINTS POLICY AND PROCEDURE**

## **THE COMPLAINTS PROCEDURE**

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## **THE COMPLAINT PROCEDURE**

### **Fojanga Academy**

#### **1. SCOPE OF COMPLAINTS PROCEDURE**

**The Board of Governors together with the Principal set the direction and tone of the school in all that they do and are committed to working with parents in the best interests of their children's education. The purpose of the Complaints Procedure is to address complaints raised by parents/guardians.**

- 1.1 The procedure covers all matters relating to the actions of staff employed in the school and the application of school procedures, where they affect individual pupils. However, school staff, and the Board of Governors recognise the difference between a concern and a complaint. Taking informal concerns seriously at the earliest possible stage will reduce the numbers that develop into formal complaints.
- 1.2 **Where it becomes evident at an early stage that a matter should be dealt with according to other established procedures or appeals mechanisms, this Complaints Procedure will be set aside in favour of the agreed procedure such as Child Protection, Special Education, Admissions, Suspensions and Expulsions, Grievance, Discipline, Bullying and Harassment or the Unsatisfactory Teaching Procedure.**
- 1.3 The school will not investigate anonymous complaints, unless deemed by the school to be of a serious nature. Anonymous complaints may be investigated where they relate to alleged Child Protection matters or alleged financial impropriety. This will be at the discretion of the school.

#### **2. AIMS**

2.1 In operating this Complaint Procedure we aim to:

- encourage resolution of problems by informal means wherever possible;
- allow swift handling of a complaint within established time-limits for action;
- keep people informed of progress;
- ensure a full and fair investigation;
- have due regard for the rights and responsibilities of all parties involved;
- respect confidentiality;
- fully address all aspects of a complaint and provide an effective response and appropriate redress, where necessary; and
- in the interest of continuous improvement, provide relevant information to the school's Senior Management Team and Board of Governors.

2.2 The procedure is designed to:

- easily accessible and publicised;
- simple to understand and use;
- impartial; and
- non-adversarial.

A copy of this Procedure is available on the school's website or is available from the school on request.

### **3. WHAT TO EXPECT DURING THIS PROCEDURE?**

#### 3.1 Your rights as a person making a complaint

In dealing with your complaint we will ensure that you receive:

- fair treatment;
- courtesy;
- a timely response;
- accurate advice;
- respect for your privacy – complaints will be treated as confidentially as possible allowing for the possibility that we may have to consult with other appropriate parties about your complaint; and
- reasons for our decisions.

Where the complaint is upheld, we will acknowledge this and address the complaint you have raised. If, after investigation, it is judged there are no grounds for your complaint, you will be advised accordingly.

#### 3.2 Your responsibilities as a person making the complaint.

In making your complaint we would expect that you:

- raise issues in a timely manner;
- treat our staff with respect and courtesy;
- provide accurate and concise information in relation to the issues you raise; and
- use these procedures fully and engage with them at the appropriate levels.

#### 3.3 Rights of the parties involved during the Investigation.

The process is non-adversarial and does not provide a role for any other statutory or non-statutory body.

##### **Complainant**

Where a meeting is arranged the complainant may be accompanied by another person where it is accepted, by the Board of Governors and the Principal, that this will assist in the investigation and resolution of the complaint.

##### **Staff**

Staff may seek advice and support from their professional body or Trade Union and may also be accompanied by another person to meetings where it is accepted, by the Board of Governors and the Principal, that this will assist the investigation and resolution of the complaint.

A member of staff who is the subject of a complaint will be provided with full details of any allegations made against him/her before being required to respond to the matters raised. On many occasions, this may be best achieved by providing the member of staff with a copy of the letter. However, the views of the complainant will be sought before doing so.

##### **Legal Presentation**

Legal representation, or representation by a person, or persons acting in a professional

capacity is **NOT** permitted within this Procedure.

This Procedure does not take away from the statutory rights of any of the participants.

### **3.4 Where the complaint is the Governor.**

Where the complainant is a member of the Board of Governors, s/he will play no part in the management, or appeal, of the complaint, as set out in this Procedure.

## **4. MAKING A COMPLAINT**

### **4.1 Complaint about a Teacher( other than the Principal)**

#### **4.1.1 Informal Stage**

##### **Step 1 – Speaking with the Teacher**

In the first instance, a complaint should normally be raised verbally with the teacher concerned, so that s/he may have an opportunity to address the issue(s). **Please observe the school’s existing protocols for arranging and conducting such meetings and follow the school’s policy with respect to access to members of staff.**

This approach will not prevent you from choosing to enter the formal process at a later stage, if you believe that to be an appropriate course of action.

##### **Step 2 – Speaking with the Principal**

If your complaint remains unresolved following Step 1, you should arrange a meeting with the Principal to discuss the issue(s). In some circumstances the Principal may not be able to deal effectively with your complaint immediately, and s/he may require some time to investigate and respond. If further time is required you will be informed of the timescale and the likely date by which the Principal will respond.

#### **1. Formal Stage**

##### **Step 3 – Writing to the Principal**

Sometimes it will not be possible for you to have your complaint resolved through the informal processes proposed at Steps 1 and 2, or indeed it might be more appropriate to initiate the procedures at Step 3. You should write to the Principal, and state the grounds for your complaint, as concisely as possible, addressing specifically the issue(s) that are of concern to you.

You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being investigated and indicate when you can expect a response to be issued (normally a maximum of 20 working days from the date on which your letter was received). The investigation may require you to meet the Principal and due notification will be given of such meetings. The Principal may also talk to the parties relevant to the complaint.

##### **Step 4 – Writing to the Chairperson of the board of Governors**

If you believe that your complaint has not been dealt with in a satisfactory manner following the completion of Steps 1, 2 and 3, you should write to the Chairperson of the Board of Governors, including, if applicable, copies of the original

correspondence relating to Step 3. The Chairperson will be responsible for referring your complaint to a Complaints Sub-Committee of the Board of Governors, which will investigate and respond to your complaint. The Complaints Sub-Committee will have a minimum of three voting members.

Your written complaint should be as concise as possible and address specifically the issue(s) that are of concern to you. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

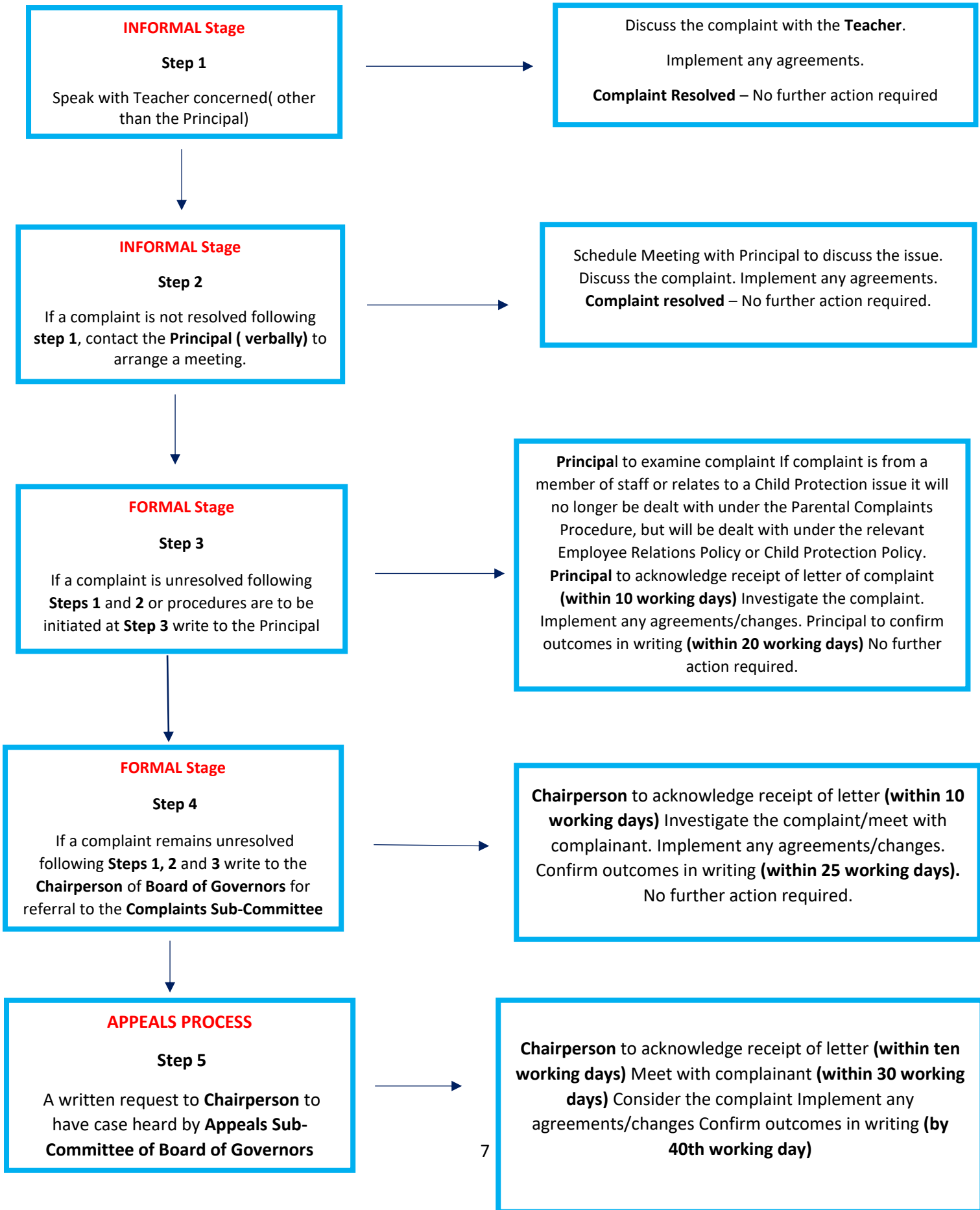
- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate when you can expect a response to be issued (normally a maximum of 25 working days from the date on which your written complaint was received).

The investigation may require you to meet the Complaints Sub-Committee of the Board of Governors and due notification will be given of such meetings. The Complaints Sub-Committee of the Board of Governors may also talk to the parties relevant to the complaint.

#### **Step 5 – Appeal Process**

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined below.

**Making a complaint about a Teacher** (other than the Principal) (with timescales for responses)



#### **4.2.1 Informal Stage**

##### **Step 1 – Raising verbally with the Principal**

A complaint concerning a member of the school's support staff should be raised verbally with the Principal. A meeting should be arranged with the Principal to discuss the issue(s). In some circumstances, the Principal may not be able to deal effectively with your complaint immediately and s/he may require some time to investigate and respond. If further time is required, you will be informed of the timescale and the likely date by which the Principal will respond.

#### **4.2.2 Formal stage**

##### **Step 2 – Writing to the Principal**

Sometimes it will not be possible for you to have your complaint resolved through the informal processes proposed at Step 1 or it might be more appropriate to initiate the procedures formally. You should write to the Principal, and state the grounds for your complaint as concisely as possible addressing specifically the issue(s) that are of concern to you.

You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being investigated and indicate when you can expect a response to be issued (normally a maximum of 20 working days from the date on which your letter was received). The investigation may require you to meet the Principal and due notification will be given of such meetings. The Principal may also talk to the parties relevant to the complaint.

##### **Step 3 – Writing to the Chairperson of the Board of Governors.**

If you believe that your complaint has not been dealt with in a satisfactory manner following the completion of Steps 1, and 2 you should write to the Chairperson of the Board of Governors, including, if applicable, copies of the original correspondence relating to Step 2. The Chairperson will be responsible for referring your complaint to a Complaints Sub-Committee of the Board of Governors, which will investigate and respond to your complaint. The Complaints Sub-Committee will have a minimum of three voting members.

Your written complaint should be as concise as possible and address specifically the issue(s) that are of concern to you. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate when you can expect a response to be issued (normally a maximum of 25 working days from the date on which your written complaint was received).

The investigation may require you to meet the Complaints Sub-Committee of the Board of Governors and due notification will be given of such meetings. The Complaints SubCommittee of the Board of Governors may also talk to the parties relevant to the complaint.

##### **Step 4 – Appeal Process**

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined below.



**Making a complaint about a member of the school's support staff (with timescales for responses)**

**INFORMAL Stage**

**Step 1**

Contact the **Principal (verbally)** to arrange a meeting.

Schedule Meeting with **Principal** to discuss issue. Discuss the complaint. Implement any agreements. **Complaint resolved** – No further action required.

**FORMAL Stage**

**Step 2**

If a complaint is unresolved following **Step 1** or procedures are to be initiated at **Step 2** write to the **Principal**.

**Principal** to examine complaint If complaint is from a member of staff or relates to a Child Protection issue it will no longer be dealt with under the Parental Complaints Procedure, but will be dealt with under the relevant Employee Relations Policy or Child Protection Policy. **Principal** to acknowledge receipt of the letter of complaint (**within 10 working days**) Investigate the complaint. Implement any agreements/changes. **Principal** to confirm outcomes in writing (**within 20 working days**) No further action required.

**FORMAL Stage**

**Step 3**

If complaint remains unresolved following **Steps 1** and **2** write to the **Chairperson of Board of Governors** for referral to **Complaints Sub-Committee**

**Chairperson** to acknowledge receipt of letter (**within 10 working days**) Investigate the complaint/meet with complainant Implement any agreements/changes Confirm outcomes in writing (**within 25 working days**) No further action required.

**APPEALS PROCESS**

**Step 4**

Written request to **Chairperson** to have case heard by **Appeals Sub-Committee of Board of Governors**.

**Chairperson** to acknowledge receipt of letter (**within ten working days**) Meet with complainant (**within 30 working days**) Consider the complaint. Implement any agreements / changes Confirm outcomes in writing (**by 40th working day**)

### **4.3 Complaint about the Principal**

Where a complaint relates to the Principal the matter will be dealt with Formally by the Board of Governors.

#### **4.3.1 Formal Stage**

##### **Step 1 – Write to the Chairperson of the Board.**

Where a complaint relates to the Principal you should write to the Chair of the Board of Governors, stating the grounds for your complaint as concisely as possible. The Chairperson will be responsible for referring your complaint to a Complaints Subcommittee of the Board of Governors, which will investigate and respond to your complaint. The Complaints Sub-Committee will have a minimum of three voting members. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate when you can expect a response to be issued (normally a maximum of 25 working days from the date on which your written complaint was received).

##### **Step 2 – Appeal Process**

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined below.

**Making a complaint about the Principal** (with timescales for responses)

**FORMAL Stage**

**Step 1**

Write to **Chairperson of Board of Governors** for referral to **Complaints Sub-Committee**

**Chairperson** to examine complaint. If complaint is from a member of staff or relates to a Child Protection issue it will no longer be dealt with under the Parental Complaints Procedure, but will be dealt with under the relevant Employee Relations Policy or Child Protection Policy. **Chairperson** to acknowledge receipt of letter (**within 10 working days**) Investigate the complaint/meet with complainant. Implement any agreements/changes. **Chairperson** to confirm outcomes in writing (**within 25 working days**) No further action required.

**APPEALS PROCESS**

**Step 2**

Written request to **Chairperson** to have case heard by **Appeals Sub-Committee of Board of Governors**

**Chairperson** to acknowledge receipt of letter (**within 10 working days**) Meet with complainant (**within 30 working days**). Consider the complaint. Implement any agreements/changes. Confirm outcomes in writing (**by 40th working day**).

## **5 RECORD KEEPING**

The Principal and Chairperson of the Board of Governors will maintain a record of all correspondence, conversations and meetings, concerning your complaint. These records will be held confidentially in the school and will be kept apart from pupil records. All such records will be destroyed **three years after the date of the last correspondence on the issue.**

## **6 FRIVOLOUS OR VEXATIOUS COMPLAINTS**

Where the Board of Governors considers the actions of a parent/group of parents to constitute a frivolous or vexatious complaint, it will seek advice from the relevant employing authority in order to protect staff from further such actions