

# Advantage Schools

## Complaints Policy & Procedure

<b>Legal status</b>	Statutory
<b>Approved by</b>	Advantage Schools Board
<b>Date</b>	July 2017
<b>Review Date</b>	July 2018
<b>Owner</b>	Bridget Edge, Company Secretary

### Legal context

This policy must comply with the Education (Independent School Standards) Regulations 2010. This means that parents must be offered:

- An opportunity to resolve a complaint with the relevant school on an informal basis - for example through discussion with a senior member of staff;
- A formal complaint stage where a complaint is made in writing;
- A hearing with a panel appointed by or on behalf of the Trustees and consisting of at least 3 people who were not directly involved in the matters detailed in a complaint, one of whom must be independent of the management and running of the school or Trust.

### How concerns and complaints will be dealt with

The Trust will be guided by the following principles:

- It will be receptive to genuine expressions of dissatisfaction;
- Complaints need to be dealt with promptly, fairly and proportionately; and
- In dealing with complaints it will take account of its public sector duty.

Occasionally parents and students will have questions for a school, and these can give rise to **concerns**. These matters will in most circumstances be resolved by discussion which will involve parents, students, and the relevant member of staff. Where this is not achieved, parents can follow the procedure outlined below.

At each stage of the procedure, the person investigating the **complaint** will seek ways to resolve the complaint satisfactorily.

***For some issues it will be not be appropriate to use this procedure.*** These include child protection allegations, exclusions and assessment decisions for external qualifications. Where a different procedure applies, parents will be advised accordingly.

## **Complaints Procedure**

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

1. It is hoped that most complaints can be resolved quickly and informally.
2. If parents have a complaint they should normally contact their child's class teacher or form tutor, who will consult with other staff as necessary. If the complaint does not relate to teaching, learning or pastoral care, then the line manager for the relevant area will look into the issues raised.
3. Complaints made to a Headteacher will usually be referred to the most appropriate member of staff.
4. All reasonable endeavours will be made to resolve any informal complaint within ten school days.
5. Should the matter not be resolved as described in paragraph 4 above, or in the event that the staff member and the parents fail to reach a satisfactory resolution, then the parents can decide whether they wish to proceed with their complaint under Stage two set out below
6. In the event that the complaint relates to a Headteacher, the CEO will look into the issues raised within the timescale set out in 4 above; if the complaint relates to the CEO, it will be investigated by a Trustee.

### **Stage 2: Formal Resolution**

1. If the complaint is not resolved informally as set out in stage 1, then parents should put their complaint in writing to the company secretary, within ten school days of the conclusion of the stage 1 process. It would helpful if parents could also identify how they wish their complaint to be resolved. The complaint will be acknowledged within 2 working days
2. The complaint will be thoroughly investigated by a senior member of staff. Where the complaint is against a Headteacher or the CEO, it will be investigated as detailed in point 6 of stage 1. This may involve a meeting with the parents. All reasonable endeavours will be used to ensure that the parents are advised of the outcome of their complaint with ten school days. Where the investigation will take longer than this, the parents will be advised within ten school days and be given a time by which it is anticipated the investigation will be concluded.
3. The parents will receive a written response by email or post setting out the conclusions reached.
4. Where the parents are dissatisfied with the outcome of the school's response to their formal complaint, the parents have the opportunity to have their complaint heard by a panel as outlined in Stage 3 below

### **Stage 3: Panel Hearing**

1. If parents wish to have their complaint heard by a panel having gone through stage 1 and 2 of the procedure described above, they must submit a request in writing to the Company Secretary within 10 school days of the date of the school's letter advising them of the outcome of the Stage 2 procedure.
2. Parents should provide a list of their complaint(s) and explain why they feel their complaints have not been resolved satisfactorily.

3. The company secretary will convene a meeting of the panel who will hear the complaint within 20 school days of receiving the parent's request, dependent upon the availability of panel members.
4. The parents and the school will be given 5 school days' notice of the date of the hearing by the panel
5. The panel will comprise two members of the Trust Board who have not been previously involved in the complaint and one person independent of the management and running of the Trust.
6. Proceedings of the panel:
  - The hearing will be closed to the public
  - The complainant will be invited to attend and can be accompanied
  - The relevant Headteacher will be invited to attend and may be accompanied
  - If witnesses attend they will only be present for that of the hearing where they give their evidence
  - The company secretary will ensure any documents are circulated to all parties involved 5 school days before the hearing
  - The panel may ask questions at any point
  - The panel may agree to the submission of documents less than 5 school days before the hearing
  - The panel will deliberate in private
  - The panel will reach a decision as quickly as possible and in no more than 3 school days following the hearing
  - The decision of the panel will be final
7. Remit of the panel – the panel can
  - Dismiss the complaint in whole or in part
  - Uphold the complaint in whole or in part
  - Decide on the appropriate action to be taken to resolve the complaint
  - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not occur
8. The Panel's findings will be sent by the company secretary in writing to the parents, the relevant Headteacher, the chair of the Trust, and where relevant the person complained of.

## **Records**

A record of all complaints will be kept. They will be monitored by the Trust Board.

## **Vexatious or persistent complaints**

The Trust reserves the right not to investigate complaints considered to be vexatious, malicious or persistent. The decision will be taken by the Chair of the Trust and the parents will be notified in writing.

## **Education Funding Agency**

Parents can contact the Education Funding Agency if they wish to complain about how their complaint to the

Federation was handled. The relevant contact details are:

[academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk)

Academies Central Unit (Academy Complaints)

Education Funding Agency

Earlsdon Park

53-55 Butts Road

Coventry

CV1 3BH