



COMPLAINTS PROCEDURE

This policy has been adopted from
The Royal Borough of Kingston upon Thames Policy

COOMBE ACADEMY TRUST

Equality Analysis Impact

Title of Policy: **COMPLAINTS PROCEDURE**

Considered at Governors' Committee meeting: **Board of Trustees**

Date: **ADOPTED: October 2004**
REVIEWED: March 2019
NEXT REVIEW: March 2020

Is there relevance to equality?

- | | | |
|---|---|-----------|
| 1 | Does the policy have an adverse effect on employees, pupils or the wider community and therefore have a significant effect in terms of equality? If yes, then please answer questions 2 and 3. | No |
| 2 | Does the policy have an adverse effect upon a group with protected characteristics? (Age, Disability, Gender reassignment, Marriage/Civil partnership, Pregnancy/ Maternity, Race, Religion or belief, Sex, Sexual orientation) | |
| 3 | Does the policy affect one or more of the equality objectives set by the school? (Please refer to the Equality Policy) | |

If the answer to question 2 or 3 is yes, a full equality analysis will need to be completed by the SLT Lead before the next committee meeting.

Please detail the objective and explain the relevance of the policy to the objective and protected characteristics below.

Complaints Procedure Coombe Academy Trust

The Coombe Academy Trust is committed to working in close partnership with all members of the school community and to ensuring a working relationship based on mutual respect and a willingness to listen to other points of view. The purpose of this procedure is to provide a clear and structured opportunity to express and resolve concerns and thus to ensure continued improvement of service to our pupils and students.

It is in the best interests of all parties that any concern is expressed and resolved quickly and this procedure allows for any problems to be resolved initially on an informal basis.

A complaint will only be considered if it is lodged within 3 months of the occurrence of the issue/circumstances giving rise to the complaint unless there are exceptional circumstances, in which case additional time may be given.

Stage 1: Informal Procedure

If, at any time, a member of the school community has a concern about an aspect of life at the school, the concern will be dealt with by the school as quickly, sympathetically and effectively as possible. It is hoped that most concerns will be settled amicably at this stage.

In the first instance, a concern should be addressed to either the subject teacher or form tutor before progressing to either the Head of Department or Head of Year. If the matter has still not been resolved, it should be escalated to a member of the Senior Leadership Team.

However, if there is a continuing concern, this can be directed through the formal stages as outlined in the school's complaints procedure, detailed on the following pages.

Stage 2: Formal Procedure

Occasionally, despite the best efforts of all parties, these informal discussions do not resolve the concern, which may then become a complaint. In such instances, the complainant should make their complaint in writing to the Headteacher, using the attached Complaint Form. The Headteacher will investigate the matter and respond to the complainant within 10 school days.

As part of the investigation, the Headteacher may invite the complainant to a meeting in order to try and resolve the issue.

Should the issue still not be resolved at this stage, and depending on the nature of the complaint, the school may involve a Governor, or other person nominated by the Governing Body, to act as a mediator. An independent record will be made of any mediation meeting and, where possible, this will be agreed and signed by all parties at the end of the meeting. The mediator would not be involved in any subsequent part of the procedure.

Stage 3: Formal Complaint to the Governing Body to convene a hearing

If the complainant is not satisfied with the response from the Headteacher, or the outcome of any mediation, they may make a written request to the Chair of Governors to convene a hearing before a panel of 3-5 members who have not been directly involved in matters detailed in the complaint. One member of the panel will be independent of the management and running of the school.

A formal request for a panel hearing would usually only be made if the complainant has:

- Sought to resolve the concern informally with the relevant member of staff or member of the senior leadership team;
- Allowed reasonable time for investigation of the concern;
- Accepted any reasonable offer by the school to discuss the result of any investigation either at the informal and/or formal stage of the procedure or taken part in a mediation meeting; and/or
- Put the complaint clearly in writing using the attached Complaint Form.

Following a request to the Chair of Governors to convene a hearing, the Clerk to the Governing Body will arrange a meeting within 15-30 school days of receipt of the request at a mutually convenient time for all parties. The complainant will be advised that they may be accompanied at the hearing if they wish. It is not usual practice for the person accompanying the complainant to be a legal representative.

Any documents to be considered at the hearing must be received by the Clerk to the Governing Body at least 7 school days before the meeting. This will include a copy of the original written complaint. No new complaints may be included. The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on appropriate action to be taken to resolve the complaint; and/or
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If a panel hearing is reconvened for the purpose of making a decision, the panel do not need to invite the complainant or a representative from the school to the reconvened meeting.

Following the hearing the panel will make findings and recommendations, a copy of which will:

- Be sent by electronic mail or otherwise given to the complainant within 7 school days and, where relevant, the person complained about; and
- Be available for inspection on the school premises by the Chair of Governors and the Headteacher.

Attendance at a Complaints Panel Hearing

The complaints panel will proceed irrespective of whether or not the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the chair of the academy trust may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the academy trust will not respond to any further correspondence on this issue or a closely related issue.

Complaints against the Headteacher

In the case of a complaint against the Headteacher, the complainant should make their complaint in writing to the Chair of Governors, using the attached Complaint Form. The Chair

of Governors will investigate the matter and respond to the complainant within 10 school days.

Should the issue still not be resolved at this stage, and depending on the nature of the complaint, the Chair of Governors may involve another Governor, or other person nominated by the Governing Body, to act as a mediator. An independent record will be made of any mediation meeting and, where possible, this will be agreed and signed by all parties at the end of the meeting. The mediator would not be involved in any subsequent part of the procedure.

If the complainant is not satisfied with the response from the Chair of Governors, or the outcome of any mediation, they may make a written request to the Chair of Governors to convene an independent hearing before a panel of members who have not been directly involved in matters detailed in the complaint, one of which will be independent of the management and running of the school. The Formal Procedure outlined above will then be followed.

Complaint against the Chair of Governors

If the complaint is against the chair of governors, then the vice-chair will investigate the complaint (or appoint another governor to do so) in the same way as in the second stage of the formal process outlined above.

Additional information

If the complainant has a complaint or concern regarding safeguarding and/or child protection, the Trust and School policies on Safeguarding and Child Protection can be accessed via the school website.

A written record will be kept of all complaints and whether they were resolved at the informal stage or proceeded to a panel hearing.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a relevant inspection body requests access to them.

Please Note - Timescales refer to 'school days'. These are days when the school is open and staff and pupils are required to attend. If a written complaint is received during a school holiday period, or when the school is otherwise closed, the complaint will be acknowledged in writing at the first practicable opportunity and the complaint will be progressed in accordance with this policy within 5 school days from the school re-opening.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2 or stage 3. The action taken by the academy or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Right of Appeal

Where the complainant is not happy with the findings of the panel they should contact the ESFA. There is an online procedure at: <https://form.education.gov.uk>

This complaints procedure was most recently updated in March 2019.

**Coombe Academy Trust
School Complaint Form**

Please complete this form and return it to the Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

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.....

Academy Trust: Coombe Girls' School / Coombe Boys' School / Knollmead Primary School /
Green Lane Primary and Nursery School (*delete as appropriate*)

Relationship with Academy Trust [e.g. parent of a student on the Academy Trust's roll]:

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.....

Student's name [if relevant to your complaint]:

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.....

Your Address:

Daytime telephone number:

Evening telephone number:

Please give concise details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional paperwork, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [I.e. who have you spoken with or written to and what was the outcome?]

What actions do you feel might resolve the problem at this stage?

Signature: Date:

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Academy Trust use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			