



# Complaints Policy 2018-19

---

## EBN Trust

---

Created By	M Baldwin
Governor's Approved	Yes/No
Signed by Chair	
Version No	1
Date of Next Review	September 2019

## Contents

- |  |        |
|--|--------|
| 1. Guidance for anyone with a concern or a complaint | Page 3 |
| 2. Complaint Process                                 | Page 3 |
-

## **1. Guide for anyone with a concern or a complaint**

Our academy wants to deal with any issues, concerns and complaints that you have as promptly and effectively as we can, and if you have any concerns we encourage you in the first instance, to go directly to the person who is most appropriate – this will usually be the form tutor or to the Headteacher.

If you are **not a parent or a guardian of a child attending the academy** you should contact the Headteacher.

The academy is required by law to have a complaints procedure that aims to ensure that concerns and complaints are handled in a fair and non-adversarial manner.

The procedure is intended to deal with complaints relating to the actions of staff and the application of academy procedures where they affect individual pupils **except** in matters relating to:

- curriculum
- a particular exclusion,
- a particular child protection issue
- a special needs statementing issue
- an admission issue

all of which are dealt with under separate procedures. Details of these procedures are available on academy website.

**The academy encourages any complainant to make every effort to resolve any concerns informally – please help us to resolve any concerns or complaints that you may have by following these steps.**

Please note:

- any concern or complaint should be brought to the attention of the academy at the earliest opportunity; any matter raised more than 3 months after the event will only be considered in exceptional circumstances.
- an anonymous complaint will not be dealt with unless there are exceptional circumstances
- 

## **2 Complaint process**

### **Step One – Raising your concern informally**

It is expected that in most cases the form tutor or member of staff concerned will be able to resolve your concerns without the need to go any further. You can help them to resolve your concerns by arranging to meet him or her at a convenient time, discussing your concerns in a positive atmosphere and allowing them any time that they require in order to investigate the matter further themselves.

If any complaint has been raised we would expect the relevant member of staff to engage in informal dialogue within 1 week of raising a concern.

Please note that an unreasonable refusal to allow your concern or complaint to be addressed informally **may** result in the academy being unwilling to take the issue any further.

If, having raised your concern with the relevant member of staff, you are still dissatisfied, or if the member of staff concerned is the subject of your complaint, then you should move on to step two, contacting the Headteacher.

### **Step Two – Involving the Headteacher (Formal)**

The Headteacher may ask you to put your concerns in writing but will usually be able to deal with your concerns face-to-face. The Headteacher will attempt to resolve your concerns using any reasonable means that she feels are appropriate: this may involve meeting with you to discuss the matter further, or delegating another senior member of staff to investigate.

The Headteacher should be allowed reasonable time to investigate the concern or complaint and gather any information that she requires. On this basis you should expect to receive feedback no later than 10 academy days after giving the details to the Headteacher.

If you are dissatisfied with the feedback from the Headteacher, or if the Headteacher is the subject of your concern or complaint, then you should move on to step three, contacting the Chair of Governors.

### **Step Three - Formally Notifying the Governing Body**

The Governing Body has responsibility for ensuring that any complaints formally notified to them are addressed. If you have not raised your concern or complaint with the Headteacher, the Chair may advise you to do so, but otherwise, if you have a complaint and have not already put the details in writing, the Chair will ask you to do so.

In cases that require urgent consideration the Chair may deal with the matter exclusively and without delay but usually a designated panel of 3 or 5 impartial governors will be convened to hear your complaint.

The designated governors will hear your complaint on an impartial basis via a **panel hearing** that must be held in private, and will aim to resolve the complaint and reconcile any differences between you and the academy.

The conduct and procedure of the hearing is detailed in the academy's Complaints Procedure and you will be given the opportunity to have a friend or representative, and / or a translator present at the hearing if you wish.

The panel will:

- Dismiss the complaint in whole or in part, or
- Uphold the complaint in whole or in part, or

- Where appropriate decide action to be taken, or
- Recommend changes to the academy systems or procedures to seek to ensure that problems of a similar nature do not recur.

However, it is recognised that you might not be satisfied with the outcome if the hearing does not find in your favour, and therefore it may only be possible for the hearing to establish the facts and make recommendations.

Following the investigation you will receive written feedback from the clerk including any decisions, recommendations and the reasons for them and, if appropriate, the next steps. This should be issued within ten working academy days after the investigation has concluded.

All written outcomes of any investigation will be available for inspection on the academy premises by the Headteacher.

A record of all complaints will be kept confidentially in a secure area whether resolved informally or proceeding to a hearing panel.

**Please note:** if the outcome might lead to action under another procedure or is an internal management issue for the academy and therefore the responsibility of the Headteacher, you may only be told that appropriate action will be taken.

**This is the final step of the process for the academy** (except for carrying-out agreed actions) and there is no more that the academy can do – trying to raise the issue further through the academy may force us to treat your complaint as **vexatious**.

If, despite all stages of the procedure having been followed, you remain dissatisfied, you may take your complaint to the TRUST, who have a remit to review due process - there is no onus on them to re-open an investigation, etc. if they are satisfied that the academy has dealt with the complaint appropriately.

**Signed Chair of the Governing Body:** \_\_\_\_\_

**Date:** \_\_\_\_\_