



Complaints Policy

October 2023

Knowle CE Primary Academy

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This policy has been developed in line with the standards as set out in 'Education (Independent School Standards (England) Regulations 2014 - Schedule 1, Part 7' and has been informed by the DfE 'Best Practice Advice for School Complaints Procedures 2021.

INTRODUCTION

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Knowle CE Primary Academy is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and so reducing the use of formal procedures. However, depending on the nature of the complaint, it may become necessary to follow the school's formal complaints procedure.

The prime aim of Knowle CE Primary Academy's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the Academy.

The Academy reserves the right not to investigate complaints that have been made more than three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious nature or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Principal will review the situation and decide whether or not to enact the complaints procedure, informing the Chair of Governors of the decision.

Knowle CE Primary Academy's Policy has four main stages.

In summary they are as follows:

- **Stage 1 (informal)**

A concern is raised informally with an appropriate member of staff

- **Stage 2 (formal)**

Formal complaint is heard by the Vice Principal, the Academy Business and Facilities Manager or, in the case of a concern about our Extended Services, the Extended Services Manager.

- **Stage 3 (formal)**

Complaint is heard by the Principal or, in the case of a concern about our Extended Services, the Extended Services Management Board.

- **Stage 4 (formal)**

Complaint is heard by the Governing Body's Complaints Appeal Panel.

STAGE 1 - RAISING A CONCERN

Concerns can be raised with the Academy at any time and will often generate an immediate response, which will resolve the concern. The Academy requests that parents/guardians, community members make their first contact either to the appropriate class teacher, member of the Extended Services Team or to a member of the Admin. Team (depending on the nature of the concern). On some occasions the concern raised may require investigation or discussion with others, in which case there will be an informal but informed response within a day or two. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way. However, if the complainant is not satisfied with the result at Stage 1, they should complete the Formal Complaints Form (Appendix i) and submit it within 10 academy working days. The Academy will then look at the complaint at the next stage.

STAGE 2 - Complaint heard by the Vice Principal, Academy Business and Facilities Manager or Extended Services Manager

The formal complaint will be directed to the appropriate member of the Academy's Senior Leadership Team. The complaint will be logged, including the date it was received. The Academy will normally acknowledge receipt of the complaint within 5 working days of receiving it and a meeting may be convened to discuss the matter further. Following an investigation, the Academy will aim to provide a written response within 10 academy working days. However, if a complaint is more complex to review then this can be extended to a maximum of 20 academy working days. The Academy will provide the complainant with details of the new deadline and an explanation on the delay. If the complainant is not satisfied with the result at Stage 2 they should write to the academy within 10 academy working days of getting the response to explain why they are still not satisfied and what they would like the Academy to do further.

STAGE 3 - Complaint heard by the Principal or the Extended Services Management Board

If the matter has not been resolved at Stage 2, the Principal or the Extended Services Management Board will arrange for a further investigation. This will take the form of a consideration/review of all relevant evidence; this may include but is not limited to:

- A statement from the complainant

- Where relevant, a statement from an individual who is the subject of the complaint
- Any previous correspondence regarding the complaint
- Any supporting documentation
- Interviews/meetings with anyone related to the complaint

After considering all the available evidence, the Principal or the Extended Services Management Board can:

- Uphold the complaint and direct certain action be taken to resolve it
- Reject the complaint and provide the complainant with details of the Stage 4 appeals process
- Uphold the complaint in part: i.e. the Principal or the Extended Services Management Board may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.

The Academy will aim to provide a written response within 10 academy working days. However, if a complaint is more complex to review then this can be extended to a maximum of 20 academy working days. The Academy will provide the complainant with details of the new deadline and an explanation on the delay.

If the complainant wishes to appeal a decision made at Stage 3 of the process, or they are not satisfied with the action that the Principal or the Extended Services Management Board took in relation to the complaint, the complainant should write to the Clerk to the Governing Body. This should be done no later than 4 weeks after receiving notice of the Principal's/Extended Services Management Board's decision and should briefly outline the content of the complaint and request that the Governing Body's Complaints Appeal Panel is convened.

STAGE 4 - Complaint heard by the Governing Body's Complaints Appeal Panel

The Clerk will notify the Chair of Governors who will arrange for the Governing Body's Complaints Appeal Panel to be convened. The Chair of Governors will ensure that the Panel includes two nominated academy Governors and one independent member with no connection to the academy. The complaint will be acknowledged within 5 academy working days of receiving it. The hearing will normally take place within 20 academy working days of sending the acknowledgement.

Governors reserve the right to refer complainants back to an earlier stage of the procedure. A complaints panel will only be convened if the correct procedure has been followed.

In addition to the panel, the following parties will be invited, where applicable:

- Either the Principal or a representative of the Extended Services Management Board (whomever investigated the complaint at Stage 3)
- The complainant/s

- Where the subject of the complaint is a member of staff, that staff member who is the subject of the complaint

The complainant/s is/are also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that member of staff is also able to bring a companion with them.

The companion will be a friend or a colleague. Neither party is able to bring legal representation with them.

Where the complaint is about a Governor, the complainant/s may request that the appeal is heard by an entirely independent panel. This is at the discretion of the Governing Body who will notify the Clerk of their decision. Where the complaint is about the entire Governing Body (or majority), the appeal will be heard by an entirely independent panel. Where an entirely independent panel is required, timescales may be affected whilst the school sources appropriate individuals for this purpose.

The panel can make the following decisions:

- 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 academy's systems or procedures to ensure that problems of a similar nature do not reoccur.

The main aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the Academy and the complainant/s. All parties will be notified of the outcome of the appeal in writing within 5 academy working days after the date of the hearing. The letter will also contain what the complainant needs to do if they wish to take the matter further.

Complaints about the Principal or the Governors

Where a complaint regards the Principal the complainant should first directly approach the Principal in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Clerk to the Governors. The Stage 2 process will then commence, but with the Chair of Governors as the individual responsible for the investigation.

Where the complaint regards a Governor, the same process applies as for the Principal. Where a complaint concerns the Chair of Governors, the individual should contact the Clerk to the Governors. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 4 will take immediate effect.

The Governors' appeal hearing is the last academy-based stage of the complaints process.

If the complainant remains dissatisfied and feels that the Governing Body acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education as the academy's complaints procedure has been exhausted. 'Unreasonably' is used in the legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances.

Record Keeping

Correspondence, statements, records and any action taken by the academy as a result of formal complaints (Stage 2 onwards) is kept confidential, by the academy, except when the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education and Skills Act requests access.

Unreasonable and vexatious complaints

Where a complainant raises an issue that has already been dealt with via the Academy's complaints procedure, and that procedure has been exhausted, the complaint will be considered vexatious. The Academy will not reinvestigate complaints after the complaints procedure has already been concluded except in exceptional circumstances, for example where new evidence has come to light.

If a complainant makes a vexatious complaint the Principal will write to them explaining that the matter has been dealt with fully in line with the Academy's complaints procedure and therefore the case is closed. The complainant will be provided with the contact details of the Department for Education if they wish to take the matter further.

Unreasonable complaints are complaints that are clearly trivial or petty or those intended to aggravate or create a nuisance. The Principal will use discretion to choose not to investigate these complaints. Where the Principal decides to take this course of action, they will inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they may redirect the Principal to investigate the complaint. The full complaints procedure will commence from Stage 1 on this direction.

If the Chair upholds the Principal's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education.

Useful contact details:

The Clerk to the Governors: ian@attinghameducation.co.uk

The Chair of Governors: Mrs S Covington - c/o the Clerk - g74scovington@knowle.solihull.sch.uk

The Department of Education: <https://www.gov.uk/complain-about-school>

Reviewed October 2023

FORMAL COMPLAINTS FORM



Appendix i

Your name	
The name of the pupil, the year group and relationship to you (where applicable)	
Contact address	
Contact telephone number	
Contact email address	
Details of complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:

Date

Official use

Date received:

Signed: