
BLACKFRIARS ACADEMY

COMPLAINTS & COMPLIMENTS POLICY

Developed:

Revised: 9th November
2015

Review Date: 5 June
2017



Complaints and Compliments Policy (Parents & Carers)

Introduction

The main purpose of the complements and complaints procedure is to solve problems, to give Parents/Carers a formal way to give complements or to raise issues of concern and have them addressed.

Complements

It is always good to receive positive feedback. This will always be shared with staff and students in a timely way. Staff: via Briefings and briefing notes; email; in person. Students: in person where appropriate; [in assembly on Monday and via the Student Council](#).

Cards, emails and letters are placed in our 'Just to Say' folder which is located in the reception area. If parents/carers agree, their complements can be put onto our website. These can be given in any format the parent /carer chooses:

- Email: admin@blackfriars.shaw-education.org.uk
- Letter or card: Blackfriars Academy, Priory Road, Newcastle, Staffordshire ST5 2TF
- Telephone: 01782 297780
- Verbally to any member of staff
- Web site: www.shaweducationtrust.org.uk
- Email: Chair of Academy Council: Dave Humphries
dhumphries@bcfederation.co.uk
- Completing Appendix 1 of this policy document

Complaints

The requirement to have a complaints procedure should not in any way undermine our efforts to resolve concerns informally as soon as possible.

Complainants will be treated respectfully during and after any complaints investigation. If it is likely that it will not be possible to respond to the complaint within 2 weeks then the complainant will receive a written acknowledgement.

Staff and Parents/Carers are asked to understand that the Academy wishes to resolve concerns or problems before they become formal complaints wherever possible.

Expressing Concerns

At this informal stage the Academy should consider the best way of dealing with the concerns raised according to the circumstances. It is preferable for all concerned that concerns are resolved now rather than later. Parents are invited to contact the relevant staff member at the earliest opportunity.

Formal Complaints

Stage 1 - Academy Principal

It may be that the Principal has not been aware of the concern raised prior to this point. At this stage the Principal should consider whether the complainant can be satisfied without recourse to the Academy Council.

The response to the parent should be as described in the paragraph "outcomes" below.

Action through a complaints procedure may lead to action being initiated under other procedures. This may be disciplinary or child protection procedures and consideration should be given to this possibility at the earliest stage. In these cases the investigations under the complaints procedure will be suspended until action under the other procedures (including appeals) has been concluded. The complainant should be advised if this is the case and also informed of the likely delay in the final resolution of their complaint.

Stage 2 - formal Complaint to the MAT Academy Council

Where complaints cannot be resolved informally each Academy should have a procedure for accepting complaints made to the Chair of the MAT Academy Council. Complaints should be accepted in writing or verbally. Where a complaint is accepted verbally it should be reported back to the complainant to ensure that details have been collected correctly. The form in appendix 1 should be completed.

The MAT Academy Council should record when the complaint is received. A complaint should then be acknowledged in writing by, or on behalf of, the Chair of the MAT Academy Council. The acknowledgement should include an explanation of what will happen next, time scales involved and the name of the person from whom they will next hear about the progress of the investigation.

Details of a complaint should be kept confidential except in so far as they need to be shared with people who might contribute to their resolution.

The Role of the Chair of MAT Academy Council

The Chair of MAT Academy Council will consider whether it is appropriate for him/herself to investigate the complaint or whether to refer it to a complaints committee of the MAT Academy Council to undertake a review. If the latter course of action is followed the chair will need to convene a meeting of the complaints committee.

When considering a complaint the chair of MAT Academy Council may wish to seek advice from the Local Authority District Education Officer on procedural matters and the appropriate course of action to be taken. Advice on the law, procedure and the content of any letters may also be obtained from the Authority's Legal Services Unit.

In considering the nature of the complaint and appropriate action to take, the chair will need to make a decision on the balance of probabilities, does the evidence demonstrate that it is more likely than not that a particular event or action occurred.

In most cases, this evidence will be obtained from the Academy and the more serious the allegation or its consequence, the stronger your evidence needs to be.

Having looked at the evidence, and considered the balance of probabilities, the chair may feel it is appropriate to respond to the complainant him/herself in writing. In doing so, the chair may also wish to meet with the complainant in person to convey their findings and the agreed course of action, if any.

If the chair feels that an investigation into the complaint should be undertaken by a complaints committee of the MAT Academy Council then a letter should be sent giving an explanation of what will happen next, timescales involved and the name of the person from whom they will next hear about the progress of the investigation.

The Role of the MAT Academy Council Complaints Committee

The procedure adopted by the committee for reviewing the complaint would normally be part of the Academy's formal procedure and membership should consist of three or five MAT Academy Council members who are not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school. This should be a cross-section of the different categories of Academy Council members, but the CEO of Shaw Education Trust and chair of MAT Academy Council should not be members of this committee, which must be independent and seen to be impartial. (Independent Schools Standards Regulations 2010). The committee will elect its own chair.

The complainant must be given the opportunity to make representation in person. The committee should therefore meet at a time and a venue convenient to all parties.

It is strongly recommended that any committee reviewing a complaint should have a clerk. The clerk's role would be to

- set the date, time and venue
- collate any written material and send to all parties in advance
- record the proceedings
- notify all parties of the decision

Investigating the complaint

Be sure that the exact nature of the complaint is understood and, where possible, identify from the complainant what actions they feel might resolve the problem at any stage. Identify possible sources of information and advice to help collate the necessary evidence. This might include:

- staff, pupils, MAT Academy Council, parents and visitors
- policies and procedures
- Academy records
- the law
- your own research
- Local Authority officers

This information may be obtained through written statements or interviews, and in many cases, the necessary arrangements will be made by the Academy.

Outcomes

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the MAT Academy Council do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

In all cases, whether dealt with by the chair or complaints committee, you must:

Determine the facts

Decisions must be made on the balance of probabilities, which means that that the evidence demonstrates that that it is more likely than not that a particular event or action occurred.

Identify what should have happened

By referring to relevant policies, procedures, or using common sense, determine how the situation could have been handled. Refer to the relevant policy and procedure in your response to the complaint and, if possible, enclose a copy. If it is simply a matter of common sense then explain that this is what you would have expected to occur.

Identify any significant failings

Was anything handled inappropriately, in the circumstances? Significant failings mean that, in the circumstances of this case, a particular action was unreasonable. However, if there was a valid reason for that action then, even if you disagree with that reason, the action could be deemed as reasonable.

Reasonable, means that a large proportion of people in that profession, job or in that situation, would have behaved in the same way.

What can you conclude?

If it is subsequently felt that the Academy, its staff or MAT Academy Council acted inappropriately then apologise and briefly outline what will be done to put things right. You must remember, however, that those involved may have a right to their personal information kept confidential.

If it is subsequently felt that the Academy, its staff or MAT Academy Council acted properly, then say so. Explain that no further action will be taken but that the Academy will continue to support the child, the alleged perpetrator, the parents, the family etc. despite the decision to not uphold the complaint.

Letter of response

Whether the complaint has been investigated by the chair of MAT Academy Council or a committee, a written response should be sent confirming the outcome of the investigation and how this conclusion had been reached. You might want to include the following in your letter:

- Introduction – a couple of lines explaining the purpose of the letter.
- Outline the complaint – use bullet points if easier
- Explain how the complaint was investigated, for example –
 - i) Spoke with staff
 - ii) Reviewed correspondence
 - iii) Checked Academy records
 - iv) Re-examined relevant policies
 - v) Sought advice from appropriate professionals
- Describe your conclusions – essentially, what the evidence demonstrates happened
- Address each complaint individually:
 - i) Possibly by referring to the account of what happened that you have already provided
 - ii) Apologise, if necessary
 - iii) Explain what the Academy will do next, but if the complaint was not upheld state that no further action will be taken
- Summarise – possibly ending this paragraph with an assurance that their complaint was treated seriously and investigated in line with the Academy policy

Finally – inform the complainant where they can now take their complaint, if they are not satisfied with the response provided

Stages 3 and 4

Parents do not have a general right of appeal should they disagree with the MAT Academy Council decision. They may, however, raise the matter with the county's Education Service or the Secretary of State if they consider that the complaint was not investigated properly and fairly. If the MAT Academy Council have followed procedure and considered the complaint reasonably then neither the Secretary of State nor the Education Service can reverse their decision.

RATIFIED BY GOVERNORS: September 2012

AMENDED BY IEB: March 2014

AMENDED BY MAT Academy Council: October 2014

UPDATED BY MAT Academy Council: July 2015

RATIFIED BY MAT Academy Council: 9th November 2015

REVIEW DATE: November 2016

Appendix 1

Complaints and Compliments

Please complete this form and return it to the Academy who will then forward it to the Chair of the MAT Academy Council. Please continue on a separate sheet if necessary.

1. Name

2. Address

3. Telephone
Number

Home

Work

4. Name of Child

5. Details of the Complaint/Compliment (please include the date or period of time to which your complaint relates and confirm whether you have already expressed your concerns informally, and to whom and when).

Information for Parents
Your Academy
Compliments, Comments and Concerns

Compliments, Comments and Concerns

Your Academy would like to hear from you if you:

- are happy with the service it provides and would like to compliment the staff and its pupils;
- have any suggestions about how the Academy can improve the quality of its provision;
- have a complaint or concern. All complaints will be taken seriously and given full and proper consideration.

Expressing Approval

When things go well, it is very helpful if parents express their approval. Maintenance of high levels of staff commitment, morale and motivation are essential to the provision of the best education for your child. Positive feedback really helps.

To express your approval you can write, telephone, e-mail or speak personally to staff concerned or the headteacher. Your words will be appreciated.

Expressing Concerns

Your child's Academy is committed to providing a high quality service for your child. Sometimes things may seem to go wrong which may lead you to express concerns.

Any concerns should be raised with the member of staff concerned or the Academy Principal in the first instance. If the Academy Principal considers it appropriate another member of staff may be asked to respond because they have a particular responsibility or are familiar with the circumstances that have caused you concern. We hope that this would be sufficient to resolve the difficulty.

Making a Formal Complaint

If it has not been possible to resolve a difficulty **informally** then you can ask to use the formal complaints procedure.

- **Step 1 - Academy Principal**

Having discussed your concerns you may feel it necessary to inform the Principal that you wish to make a formal complaint. You can do this by telephoning, writing a letter or arranging an appointment to meet him/her. You will receive a written response.

- **Step 2 - the MAT Academy Council**

If you are dissatisfied with the response you can make a formal complaint to the MAT Academy Council. The Academy will provide you with a form that you can choose to fill in for this purpose.

The form will need to be sent to the Chair of MAT Academy Council. Details of how the complaint will be investigated will be included with form.

You will receive a written response from the MAT Academy Council.

When considering your complaint the chair of MAT Academy Council may seek advice from officers of the Local Authority. However, you should not contact the Local Authority or the Secretary of State for Education direct until Step 2 is complete.

- **Steps 3 and 4 - Secretary of State for Education**

If you think that the MAT Academy Council have failed to consider your complaint properly and reasonably, you can raise the matter with the Secretary of State for Education. **However, it is important to understand that this is not a general right of appeal for any parent who disagrees with the decision of the MAT Academy Council.** If the MAT Academy Council have followed a proper procedure and considered the complaint reasonably, the Secretary of State for Education cannot reverse their decision.

If you remain dissatisfied with how the complaint has been dealt with you may wish to refer your complaint to the Education Funding Agency. Please write to:

EFA Complaints
Chief Executive's Office
53-55 Butts Road, Earlsdon Park
Coventry CV1 3BH

In your letter please explain:

- a) What your complaint to the MAT Academy Council was.
- b) What response they have made to it.
- c) Why you think that the MAT Academy Council have not followed a proper procedure in considering your complaint.
- d) Why you think that their consideration of it was unreasonable.

Note: This policy does not apply where the complaint may lead to disciplinary proceedings against a teacher or child protection procedures. These matters have separate procedures.