



Complaints Policy and Procedures for Students/Parents/Carers

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Guiding Principles

The Stone Soup Academy Complaints Policy and Procedures (this Policy) is made available to parents of students and parents of prospective registered students on the Academy's website and in hard copy from the Academy office.

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Academy. The Academy aims to ensure that any complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, we will review our systems and procedures in light of the circumstances of the complaint.

We recognise that a difficulty, which is not resolved quickly and fairly, can soon become a cause of resentment and so we need to know as soon as possible if there is any cause for dissatisfaction. Parents and students should never feel that making a complaint will adversely affect a student or his / her opportunities Academy.

This Policy applies to complaints from parents of current students and to parents of former students if the complaint was raised when the student was registered as a student at an Academy. Parents should note that this policy is not applicable to exclusions.

We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to working days, we mean Monday to Friday, when the Academy is open during term time. The dates of terms are published on the Academy's website.

It is expected that the complaints procedure will progress in a timely manner. The Academy aims to resolve any complaint efficiently and promptly and parents are encouraged to bring any complaints to the Academy's attention as soon as possible.

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Management of complaints

The Academy's complaints procedure has three stages:

Stage 1: informal raising of a complaint with a member of the relevant Academy staff orally or in writing - further details of this procedure are set out in Appendix 1.

Stage 2: a formal complaint in writing to the Principal- further details of this procedure are set out in Appendix 2.

Stage 3: reference to the Complaints Panel - further details of this procedure are set out in Appendix 3.

Separate procedures apply in the event of a child protection issue, or if the Principal excludes or requires the removal of a student from the Academy and the parent/s seek a review of that decision.

Record keeping and confidentiality

A written record will be kept of all formal complaints, and of whether they were resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the Academy as a result of the complaint/s (regardless of whether it is /they are upheld). The number of formal complaints registered during the preceding Academy year is zero.

Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

Complaints to Ofsted and the Independent Academy's Inspectorate

Ofsted can be contacted on 0300 123 1231 or at enquiries@ofsted.gov.uk.

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Appendix 1 - Stage 1 - dealing with concerns and difficulties informally

Informal resolution of a complaint

We expect that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

Who to contact

Where appropriate, complaints should initially be raised as follows:

Educational issues: if the matter relates to the classroom, the curriculum or special educational needs and disabilities, please speak or write initially to the student's class/subject teacher in the first instance. Your complaint may be passed to a more senior member of staff if appropriate including the Principal.

Pastoral care: for complaints relating to matters outside the classroom, please speak or write to the Principal in the first instance.

Disciplinary matters: a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed the sanction. Your complaint may be passed to a Vice Principal if appropriate including the Principal.

Financial matters: a query relating to fees or extras should be addressed in writing to the Operations Manager.

A complaint against the student's class or subject teacher may be raised directly with the Principal.

A complaint against the Principal should be put in writing to the Chair of Governors, who will follow the procedure set out in Stage 2.

An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.

The member of staff dealing with the complaint will make a written record of all concerns and complaints and the date on which each was received. The member of staff dealing with the complaint will inform the Principal or member of the Leadership Team.

A complaint which has not been resolved by informal means to the parent's satisfaction within 10 working days should be notified in writing as a formal Stage 2 complaint using the procedure set out in Appendix 2.

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Appendix 2 Stage 2 - formal complaint

How to make a formal complaint

If a parent is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the Academy's policies or management, the complaint should be made under Stage 2.

The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Principal or Chair of Governors if the complaint is about the Principal.

The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

Investigation

The Principal will ask a member of the Senior Leadership Team to act as Investigator, where a complaint has been made against the Principal the Chair of Governors will appoint another governor to be the Investigator. The Investigator may request additional information from the parents and may wish to speak to the parents personally and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator will prepare a report on the investigation which will be considered by the Principal (Chair of Governors in the case of the complaint being against the Principal).

Decision

The Principal (Chair of Governors in the case of the complaint being against the Principal) will then notify the complainant by email or letter of their Stage 2 decision and the reasons for it within 10 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parent/s will be notified of this and informed of the new timescales as soon as possible.

Please note that any complaint received within one month of the end of a term or half term is likely to take longer to resolve owing to the presence of Academy holidays and the unavailability of personnel required for the investigation to be undertaken properly.

If a parent is dissatisfied with the Principal's (Chair of Governors in the case of the complaint being against the Principal) decision the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

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Appendix 3 - Stage 3 - Complaints Panel

What is a Complaints Panel Hearing?

A Complaints Panel Hearing (Hearing) is a review of the decisions taken at Stage 2 by the Principal (or in circumstances where the formal complaint concerns the Principal, the Chair of Governors appointed to act in her place). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering the documents provided by both parties and any representations made by the Parents and the Principal, and to reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part.

It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the Academy on these matters or any other issues as appropriate.

How to request a Hearing

A request for a Hearing must be put in writing to the Clerk to the Governors who will pass to the Convener who has been appointed by the Governors to call hearings of the Complaints Panel and will usually only be considered if the procedures at Stages 1 and 2 have been completed.

The written request should include:

- a copy of all relevant documents and full contact details;
- details of all the grounds of the complaint and the outcome desired;
- a list of the documents which the parents believe to be in the Academy's possession and wish the Complaints Panel to see; and
- whether parents propose to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.3 below).

If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors/ the Convener of this who will be happy to make appropriate arrangements.

The Clerk to the Governors on behalf of the the Convener will acknowledge the request for a Hearing in writing within two working days of receipt during term time and as soon as practicable during the holidays. The Convener will inform the parents when the Complaints Panel has been set up.

Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half terms.

Planning the Hearing

As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Clerk to the Governors on behalf of the the Convener will send written notification to each party of the date, time and place of the hearing.

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Copies of any additional documents for the Complaints Panel to consider should be sent to the Clerk to the Governors for the attention of the Convener to be received at least five working days prior to the Hearing.

Parents may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is not legal proceedings and so legal representation is not necessary. If parents do wish to be accompanied by someone who is legally qualified, parents should have notified the Clerk to the Governors for the attention of the Convener of this in the initial request for a Hearing. If parents did not do so and subsequently wish to be accompanied by a legally qualified person, parents must inform the Clerk to the Governors for the attention of the Convener of this at least five working days prior to the Hearing and the parents should note that the Complaints Panel will wish to speak to the parents directly. This person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.

The Clerk to the Governors on behalf of the Convener will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least five working days prior to the Hearing.

Composition of the Complaints Panel

The Complaints Panel will comprise at least three individuals who were not directly involved in the matters detailed in the complaint, including at least one independent member who has no connection with the governance, management or running of the Academy. Each of the Panel members shall be appointed by the Chair of Governors who maintains a list of suitable people (DfE guidelines for independent panel member).

The parents may ask the Convener to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.

The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings. The Convener will serve as Secretary to the Panel.

The Hearing

The Hearing will be conducted in an informal manner.

The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes, recording of the Hearing will not be permitted. A clerk appointed by the Complaints Panel will take a handwritten minute of the proceedings.

All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person

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who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comment will be minuted.

The Chair may, at their discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

When the Chair of the Panel considers that all the issues have been sufficiently discussed, they will conclude the Hearing.

The Decision

The Complaints Panel will reach a decision on the balance of probabilities unless there is an agreed position. The decision, findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about, within five working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the Academy premises by the Governing Body and the Principal. The completion of Stage 3 represents the conclusion of the Academy's Complaints Procedure.

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