



North East  
Learning Trust

# Complaints policy

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# 1. Introduction

The procedure will be used in each Academy across the North East Learning Trust (NELT) for all complaints raised. The Trust will review this procedure every two years and assess its implementation and effectiveness. The Trust will monitor the procedure to ensure that all complaints are handled in accordance with the procedure.

A copy of the Complaints Procedure is available from the reception of the Academies across the Trust and from the following websites:

[www.nelt.co.uk](http://www.nelt.co.uk)

[www.shottonhallschool.co.uk](http://www.shottonhallschool.co.uk)

[www.easingtoncsc.co.uk](http://www.easingtoncsc.co.uk)

[www.teesdaleschool.com](http://www.teesdaleschool.com)

[www.browneyacademy.co.uk](http://www.browneyacademy.co.uk)

The Trust provides a good education for all our children and young people and all staff work very hard to build positive relationships with all parents, the local community and other stakeholders. However, there is a statutory obligation to have in place a complaints procedure and that any such complaints will be dealt with in accordance the guidance set out by the Department for Education (DfE), The Education Funding Agency (EFA) and the Education (Independent School Standards) (England) Regulations 2014, Schedule 1, Part 7.

Our Trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint, we endeavour to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. Our procedure provides sufficient opportunity for any complaint to be fully discussed and then resolved.

Our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling by adhering to time limits for action and keeping people informed of the progress. Delays within the process will be communicated to all parties;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide effective response and appropriate redress, where necessary;
- Provide information to the Trust and the Academy's Senior Leadership Team (SLT) to enable services to be improved.

Our policy will ensure that we are clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

At each stage in the procedure Complainants and the Academy should keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint

It would be helpful if Complainants consider what actions they feel might resolve the problem at any stage. It is important to recognise that an admission that the Academy could have handled the situation better is not the same as an admission of negligence.

To be effective, the application of the procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

We have adopted a three stage process for dealing with complaints (see Appendix A)

- Stage 1: complaint heard by staff member
- Stage 2: complaint heard by Principal or Head of School
- Stage 3: complaint heard by the Appeal Panel of the Local Academy Council

## **2. Stage one: complaint heard by member of staff**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the Academy can be crucial in determining whether the complaint will escalate.

The Academy will respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In these cases, the **Complaints Co-ordinator** can refer the complainant to another staff member. Where the complaint concerns the Principal, the **Head of Administrative Services** will refer the complainant to the **Chair of the Trust Board**.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, it may be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a member of the Trust and/or Local Academy Council, the next step would be to refer the complainant to the appropriate person in the Academy who will offer advice about the procedure. Members of the Trust and/or Local Academy Council will not act unilaterally on an individual complaint outside the formal procedure or be involved in any stage other than the appeals hearing.

### **3. Stage two: complaint heard by principal/head of school (within 15 school days)**

Should the complaint not be resolved informally at Stage One of the procedure then the complainant should put their complaint in writing (Appendix B) and forward this to the Academy for the attention of the Principal.

A complaint may be made in person, by telephone, or in writing. However, in order to avoid misunderstanding it may be helpful to the Complainant and the Academy if the reasons for the complaint and suggested actions for its resolution could be put in writing.

The Principal/Head of School will fully investigate the matters raised by the complainant, which may include a meeting with the Complainant. The Principal/Head of School will consider all the evidence available and will write to the Complainant confirming the outcome within 15 school days of receiving the complaint.

### **4. Stage three: complaint heard by the appeals committee of the Local Academy Council (within 20 school days)**

If the complainant is not satisfied with the Principal's response, the complainant must write to the Chair of the Local Academy Council at the Academy within 10 school days clearly stating why they believe the complaint has not been resolved satisfactorily. In addition, the complaint should also include the remedies sought in respect of each aspect of their complaint. The Chair will contact the Governance Manager who will convene a meeting of the Appeals Committee of the Local Academy Council within 20 school days of receiving the appeal. The Appeals Committee will consist of two Governors from the Local Academy Council and one person independent of the management and running of the Academy who will be selected from the Local Academy Council of an Academy within the Trust. The complainant and/or their representative will be invited to attend.

Members of the Appeals Committee, the complainant, the Principal/Chair of the Local Academy Council will receive a copy of the original complaint, the written response from the Principal, a copy of the letter of appeal, the Complaints Procedure and a procedure for the hearing (Appendix C) in advance of the meeting.

The Appeals Committee when dealing with a complaint have the following options available:

- 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 there are no reoccurrences of the issues

The Appeals Committee will consider all written evidence and verbal submissions made at the hearing and will deliberate in private to reach a decision and agree recommendations where necessary.

The complainant and the Principal will be informed of the decision, in writing, within 10 school days of the hearing.

The decision of the Appeals Committee is final and there is no further right of appeal to the Trust or Local Academy Council. All complainants have the right to contact the Education Funding Agency (EFA) if they are not satisfied with the way in which their complaint has been considered. The EFA can be contacted via <http://www.education.gov.uk/form/schoolcomplaints-form>.

## **5. Exclusions to the procedure**

Complaints about the following issues have their own, separate, procedures and will not be considered under this procedure

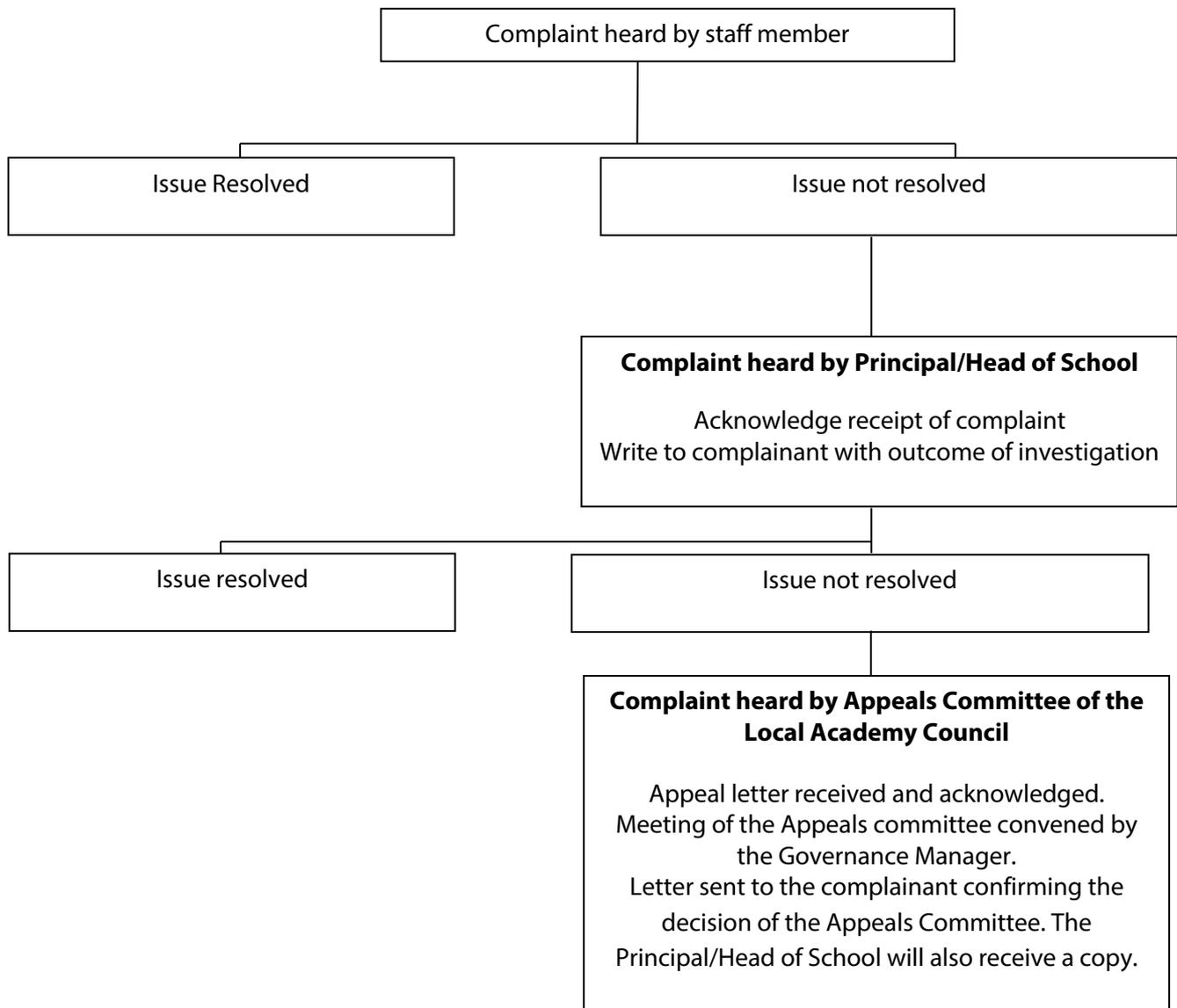
- Matters that are the responsibility of the Local Authority
- Conduct of Staff at the school
- Content of a statutory statement of special educational needs
- Pupils Admissions
- Pupil Exclusions
- The national curriculum and related issues including religious education
- Child Protection

Please see the end of this document (Appendix D) for information about where to direct complaints about these issues.

## **6. Vexatious complaints**

If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Local Academy Council is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## Appendix A - flowchart for complaints raised against Academies within NELT



## Appendix B - complaint form – stage 2

### Your personal details

<b>Your name</b>	
<b>Your child's name</b>	
<b>Your child's tutor group</b>	
<b>Your address including postcode</b>	
<b>Which Academy is your complaint regarding</b> <i>eg Shotton Hall, Easington, Teesdale, Browney</i>	
<b>Daytime telephone number:</b>	
<b>Evening telephone number:</b>	
<b>E-mail address:</b>	

### Details of your complaint

<b>Please provide full details of your complaint, including relevant dates and persons concerned where possible in the box below. (please continue on a separate sheet if necessary)</b>

**What action, if any, have you already taken to try and resolve your complaint**

*(Please include details of who you spoke with and their response).*

**How do you feel the problem could be resolved at this stage?**

Please attach any paperwork you feel is relevant to your complaint. You may wish to provide details of any attachments.

Signature

Date

**Appendix C - procedure for the meeting of the appeals committee in respect of a complaint**

- The Chair will welcome all parties to the meeting and following introductions will confirm the purpose of the hearing and the procedure to be followed.
- The Complainant will be invited to present their appeal against the outcome of the complaint.
- The Principal/Head of School will be offered the opportunity to ask questions of the Complainant.
- Members of the Committee will be offered the opportunity to ask questions of the Complainant.
- The Principal/Head of School is then invited to confirm the actions taken by the school to resolve the complaint.
- The Complainant will be given the opportunity to ask questions of the Principal/Head of School.
- Members of the Committee will be offered the opportunity to ask questions of the Principal/Head of School.
- The Principal is then invited to sum up the school's actions and response to the complaint.
- The complainant is then invited to sum up their complaint.
- At this stage both the Complainant and the Principal/Head of School will leave the meeting allowing members of the Committee to deliberate. A written response will be agreed and sent by the Governance Manager to the Complainant within 5 school days. The Principal/Head of School will also receive a copy of the Committee's letter.

## **Appendix D – types of complaints**

Type of complaint	Appropriate procedure	Contact
Matters that are the responsibility of the Local Authority E.g. Home to School Transport, Special Educational Needs	Appropriate Local Authority	Telephone Number: 03000 260000
Conduct of staff	Trust Disciplinary Procedures	Appropriate Academy
Admissions	Trust Admissions Policy	Appropriate Academy
Exclusions	Trust Exclusion Policy	Appropriate Academy