

St Cyprian's Greek Orthodox Primary Academy



Complaints Procedure

Revised: July 2014

Reviewed and ratified by Full Academy Trust:

Date: 10/7/14

Signed: *A Tallis*

Name: A Tallis

Position: Chair of Education

- necessary);
- clarifies what the complainant feels would put things right;
- interviews those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conducts the interview with an open mind and is prepared to persist in the questioning;
- keeps notes of the interview.

Resolving Complaints

At each stage in the procedure the Academy will 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 Academy policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the academy could have handled the situation better is not the same as an admission of negligence.

Vexatious Complaints

This procedure should 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 Academy Trust is able under this policy to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible using time limits published in this policy. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The Governing Body will publicise the complaints policy and procedure in

- the Academy prospectus;
- the information given to new parents when their children join the Academy;
- any home-academy agreement;
- the Academy website.

St Cyprian's Greek Orthodox Primary Academy Complaints Procedure

Stage One: Complaint Heard by Staff Member

1. 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

12. The Deputy Headteacher will seek to meet or speak with all of the appropriate people in order to establish the facts relating to the complaint, if the information given on the complaints form necessitates this. This may include the complainant, staff and any other person.
13. Once all of the facts have been established the Deputy Headteacher will then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
14. A written response should contain an outline of the complaint and a summary of the response to the complaint including the decision reached and the reasons for it. Where appropriate this should also include what response the Academy will take to resolve the complaint. This may be by way of a general description eg 'Action taken within the Disciplinary Procedure.
15. When the investigation has been concluded the complainant and the member of staff concerned will be informed in writing of the outcome. This may be to the effect that:
 - There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
 - The concern was not substantiated by the evidence
 - The concern was substantiated in part or in full. Some details may then be given of the action the academy may be taking to review procedures etc but details of the investigation or of any disciplinary procedures will not be released.
 - The matter has been fully investigated and that appropriate procedures are being followed which may be strictly confidential (eg where staff disciplinary procedures are being followed)
16. This letter or report must be endorsed by the Headteacher. It should also inform the complainant that should he/she wish the complaint to progress to the second stage of this procedure then he/she should send a written request stating this to the Headteacher within 10 working days of receiving the response.
17. If no further communication is received from the complainant within 10 working days it is deemed that the complaint has been resolved and should end.

Stage Two: Complaint Heard by Headteacher

18. If the complainant is dissatisfied with the way the complaint was handled at stage one, they may go to Stage 2 and have the Headteacher hear the complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
19. The same timings as in Stage 1 will apply.

Stage Three: Complaint Heard by Academy Trust Complaints Appeal Panel or by The Vice Chair

20. The complainant needs to write to the Clerk to the Directors as directed by the Headteacher giving details of the complaint. The Chair, or CEO, will hear the complaint and their decision is final.
21. The Clerk to the Directors should write to the complainant acknowledging receipt of the written request for the complaint to be heard. This acknowledgement must be sent within 5

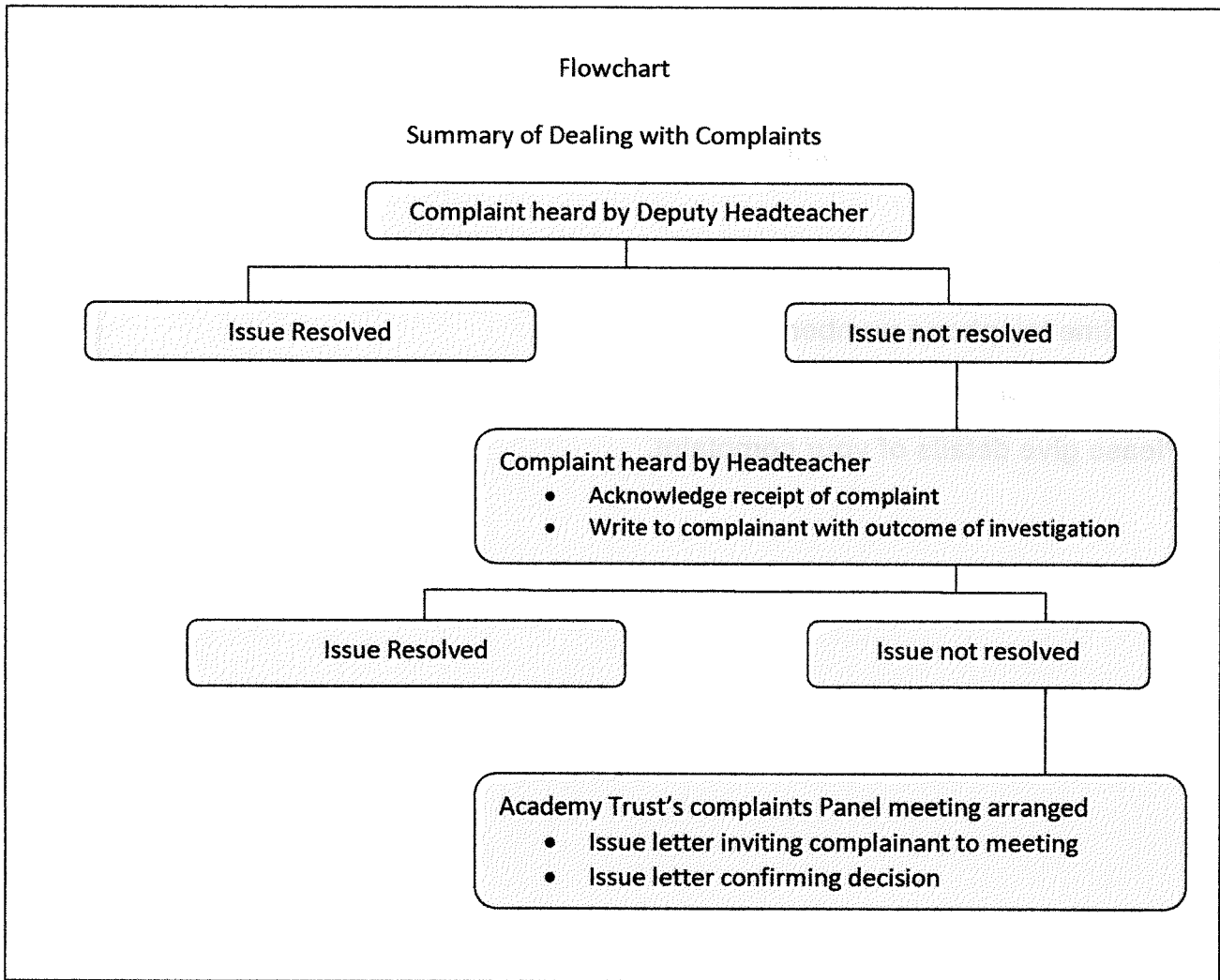
- c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible.
30. The Clerk to the Academy Trust will write and inform the complainant and any witnesses, the panel etc of the date and location of the meeting 5 working days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/ interpreter. The letter should explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel. The Headteacher has the right to bring representation if so desired.
 31. Intervention of parallel investigations relevant to the complaint by the Police or social services may cause variation to these time scales. Any such variation will be notified to the complainant.

Hearing the Complaint at the Meeting

- The aim of the meeting will be to resolve the complaint and achieve reconciliation between the Academy and the complainant.
- In the interest of natural justice, the introduction of previously undisclosed evidence or witnesses would be a reason to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- The recommended conduct of the meeting is as follows:
 - a. The Chair of the panel will welcome the complainant, introduce the panel members and explain the procedure.
 - b. The Chair of the panel will invite the complainant to explain the complaint.
 - c. The Committee members may question the complainant about the complaint and the reasons why it has been made.
 - d. The Headteacher will be invited by the Chair of the panel to question the complainant about the complaint and why it has been made.
 - e. The Chair of the panel will invite the Headteacher to make a statement in response to the complaint. At the discretion of the Chair of the panel the Headteacher may invite members of staff directly involved in the complaint to supplement his/her response.
 - f. The Committee members may question the Headteacher and/or members of staff about the response to the complaint.
 - g. The Chair of the panel will allow the complainant to question the Headteacher and/or members of staff about the response to the complaint.
 - h. Any party has the right to call witnesses, subject to the approval of the Chair of the Committee.
 - i. The Committee, the Headteacher and the complainant have the right to question any such witness.
 - j. The Headteacher will be invited by the Chair of the panel to make a final statement.
 - k. The complainant will be invited by the Chair of the panel to make a final statement.
 - l. The Chair of the panel will explain to the complainant and the Headteacher that the decision of the panel will now be considered and a written decision will be sent to both parties within **15 working days**. The Chair of the panel will then ask all

complaint.

- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.



What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Date of next review: October 2014