



Title	Complaints Policy
Reviewed	January 2020
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Approved	<i>R Hardcastle</i>

Contents

1. General.....	3
1.1 Definitions	3
2. Aims	3
3. Scope of this Policy	3
4. Responsibilities	4
4.1 The Board of Directors.....	4
4.2 The Chair of the Board	4
4.3 The CEO	4
4.3 The Head of Primary Education and Academy Principals	4
4.4 Management of Stage 3 meetings.....	4
4.5 Assistant to the Board of Directors	5
4.6 The Director of Finance and Operations.....	5
4.7 Staff Members.....	5
4.8 All Staff Responsibilities	6
5. Information for parents/carers.....	6
5.1 Formal procedure	7
5.2 Guidelines.....	7
5.2.1 Stage 1 - Informal.....	7
5.2.2 Stage 2 Written Formal Complaint	8
5.2.3 Stage 3 Panel Hearing	8
6. Dealing with complaints through Education, Skills and Funding Agency	9
7. Vexatious and Persistent complaints.....	9
8. Investigating complaints	10
9. Resolving complaints	10
10. Reporting and recording	11
11. Monitoring and review.....	11
Appendix 1. Complaints Form Stage 2.....	12
Appendix 2.	14
Appendix 3. Contact Details:	16
Appendix 4. Stage 3 Panel Hearing Agenda	17

Complaints Policy

1. General

Hatton Academies Trust aims for excellence in the provision of all services (educational or non-educational) to parents/carers of students in all of our Academies and other parties. Where it is believed that the Trust, or any member Academy, has provided a service which falls below the level expected, the Trust Board wishes to ensure that systems and procedures are in place which:

- a) ensure that complaints can be made and dealt with in an efficient and effective manner and
- b) deal with complaints to the standard required by the Education (Independent School) Standards (England) Regulations 2014 Schedule 1, Part 7

1.1 Definitions

Principal – the term applies to Principal, Head of Primary Education, Head teacher, Vice Principal, Deputy Head or any other member of the School Leadership team who has delegated authority to deal with the complaint.

2. Aims

This policy aims to ensure that all complaints from parents/carers, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so.

To this end, the Trust has adopted a three stage process for dealing with complaints:

- Stage 1: Informal – A conversation/meeting with a member of staff who is not the subject of the complaint.
- Stage 2: Formal – Written complaint to the Academy Principal using the Complaint Form (see Appendix 1).
- Stage 3: A Panel Hearing – written complaint using the Trust Complaint Form (see Appendix 2).

3. Scope of this Policy

This policy and the procedures encompassed within should be used for all general concerns and complaints regarding the actions of the Trust, or any member of staff within its member Academies. It should be noted that separate policies exist for the specific matters listed below:

- Staff Disciplinary Complaints
- Matters relating to the curriculum
- Exclusions appeals
- Admissions appeals
- Safeguarding / Child Protection Allegations
- Employment related grievances
- Whistleblowing

- Assessments of SEN

4. Responsibilities

4.1 The Board of Directors

The Board of Directors hold the following responsibilities:

- To ensure that the policy is promoted throughout the Trust on Academy websites with a supporting complaints form
- The management of these responsibilities will be delegated to the CEO.

4.2 The Chair of the Board

The Chair of the Board holds the following responsibilities:

- Hearing / receiving Stage 1 or 2 complaints about the CEO or a Director
- Arrange panel hearings at Stage 3 in relation to unresolved complaints about the CEO or in the absence of the CEO.

4.3 The CEO

The CEO holds the following responsibilities:

- To hear or receive complaints at Stage 1 or 2 which are made against an Academy Principal, the Director of Finance & Operations, or the Head of Primary Education, or which it would be inappropriate for the Principal to hear
- To receive complaints at Stage 3, nominate a panel of Directors / Academy Committee members / Independent panel member to hear the appeal, and to check that the correct procedure is followed.
- Approving the policy, procedures, and guidelines (on behalf of the Board of Directors)
- Conducting a review of the policy every 2 years and an annual evaluation of the nature of complaints received.

4.3 The Head of Primary Education and Academy Principals

The Head of Primary Education and Academy Principals hold the following responsibilities:

- Hearing informal and/or formal complaints at Stages 1 and 2 and responding to those complaints as required
- Overall internal management of the procedures
- To hear or receive written complaints delegated at Stage 2 as required, ensuring that the procedures are followed
- To report the outcome of delegated Stage 2 complaints to the CEO
- To attend Stage 3 meetings as required to give evidence

4.4 Management of Stage 3 meetings

CEO /Board of Directors panel Stage 3. The panel must be one panel member independent of the management of the Academy and Trust.

Ensure that:

- parent/party has the right to be accompanied
- the parties understand the procedure
- the issues are addressed
- key findings of fact are established
- complainants are put at ease
- the hearing is conducted as informally as possible
- the panel is open-minded and acts independently and objectively
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material presented is seen by all parties
- one member of the panel is independent of the management of the Academy Trust
- all panel members must not have been directly involved in the matter detailed in the complaint
- meetings are minuted

4.5 Assistant to the Board of Directors

The Assistant to the Board of Directors will act as the reference point for the complainant at Stage 3.

The Assistant to the Board of Directors must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings in written form
- notify the parties of the decision on behalf of the Chair of the Panel Hearing.

4.6 The Director of Finance and Operations

The Director of Operations and Finance holds the following responsibilities:

- To ensure the efficient operation and management of the policy and procedures
- To train staff on how to deal appropriately with complaints
- To keep parents, pupils and other parties informed of the procedures
- To implement and maintain a management information system to record all academy complaints at Stage 2 and Stage 3
- To compile reports for the CEO as required
- To investigate all administrative, environmental and financial concerns and complaints on behalf of the CEO as required.

4.7 Staff Members

Heads of Department and other middle managers are responsible for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at stage 1 of the procedures.

Managers/Senior Leaders are responsible for dealing with and where possible resolving complaints concerning overall student progress, student discipline issues, pastoral care at Stage 1 of the procedures.

Managers of support staff teams are responsible for dealing with and where possible resolving complaints concerning any aspect of their service provision at Stage 1 of the procedures.

The Designated Senior Person in each Academy will deal with complaints relating to Child Protection and pupils with medical conditions in the first instance in accordance with the Trust's Child Protection procedures.

4.8 All Staff Responsibilities

All staff are responsible for hearing any concerns brought to them by:

- Parents
- Students
- Any other parties

The staff member must:

- Reassure the complaint will be dealt with as quickly as possible by the appropriate member of staff
- Inform the relevant member of staff of the concerns raised as soon as possible
- Pass any complaints received from other people who are not parents or students to the Principal or other relevant member of senior staff as soon as possible.

5. Information for parents/carers

All Academies within the Trust will include a copy of this policy and supporting complaint form (Stage 2) on their website. The Trust will provide a copy of this policy and supporting Trust complaint form (Stage 3) on its website. Full contact details can be located in Appendix 3.

The Trust and its academies are committed to ensuring that our work with your child is successful and meets your expectations. We have a range of policies which detail matters relating to your child's education and our expectations of them. Our home school agreement sets out the expectations of the trust/academy; yourselves as parents/carers and our pupils/students.

In choosing our academies we expect that you are aware of these expectations and support our ethos and high standards.

If areas of our policy and procedures are a cause of concern please contact your child's form tutor/class teacher or head of year in the first instance. Most complaints and issues are usually resolved quickly in this way.

If the matter is not resolved, it should be moved to Stage 2 where it will be addressed by the Principal. This should take place within 5 working days of the matter not being resolved at Stage 1.

If the complaint is still not resolved it will then move to Stage 3. The Trust should be informed via the Assistant to the Board of Directors. The complaint should be referred to Stage 3 within 10 working days of the completion of Stage 2 or the matter will be considered to have been resolved.

5.1 Formal procedure

Every attempt will be made to resolve complaints informally, but if this fails then this procedure will be followed:

- Stage 1: Informal – A conversation/meeting with a member of staff who is not the subject of the complaint. This may be supported at a next stage by a relevant senior member of staff.
- Stage 2: Formal – Written complaint to the Academy Principal using the Complaint Form (see Appendix 1).
- Stage 3: A Panel Hearing – written representation using the Trust Complaint Form (see Appendix 2). The complaint will be heard by a panel of Directors including 1 Independent person.

5.2 Guidelines

All staff and Directors should be conversant with the procedures. All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

5.2.1 Stage 1 - Informal

All staff should listen carefully and patiently to parents' and students' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the parent or student.

If the matter is within the competence and authority of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant line manager/member of staff, and the relevant person should be informed by the member of staff as soon as possible.

If the senior member of staff considers the issue to be serious (but is not a child protection issue) he/she should inform the Principal. The Principal will determine the next step(s).

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of Trust staff this should be reported immediately to the Senior Designated Person or the Principal. The appropriate next steps and policies should then be followed.

If a serious complaint is made by a student, the member of staff should immediately inform the student's tutor or class teacher (or the Director of Year). It will be the responsibility of that person to determine whether he/she can deal with the issue, or in consultation with their line manager what the next course of action should be, including referring the matter to the Principal. Where the student complaint concerns an allegation against a member of staff this should be referred to the Designated Senior Person.

In any cases of doubt members of staff should seek the advice of their senior leader as soon as possible.

If the appropriate member of staff cannot resolve the complaint, the senior member of staff must refer the matter to the Principal.

At Stage 1 the academy should aim to resolve the complaint within one working day of receiving it. Where this is not possible, the staff involved will inform the parties of the action being taken within one working day, and when they expect that it will be resolved.

No complaint should normally be left unresolved at this stage after THREE working days of receipt of the complaint. In abnormal circumstances the matter will be referred to the Principal who will determine the appropriate action, and will keep the parties informed.

5.2.2 Stage 2 Written Formal Complaint

The complainant should complete the complaints form (See Appendix 1). This should be completed and returned to the Principal. The Principal must aim to resolve the matter within THREE working days of receiving notification of the complaint. Where investigation warrants more time for further investigation a longer time scale can be agreed, either by agreement with all parties, or by a decision of the CEO if no agreement is reached.

If the Principal is unable to resolve the issue it is open to the complainant to make representations to the Board of Directors. (Stage 3).

If the Principal or a relevant senior member of staff considers that they can deal with the complaint they should attempt to do so. If a resolution cannot be found, the Principal should inform the complainant of their right to a panel hearing (Stage 3). In such circumstances, the CEO must be advised of all referrals by a Principal to a panel hearing.

5.2.3 Stage 3 Panel Hearing

Complainants who are not satisfied by the decisions at Stages 1 to 2 can make representations to a panel hearing.

The complainant must be advised by the Assistant to the Directors to write to the Chair of the Board of Directors giving details of the complaint using the Trust Complaints Form (Appendix 2).

The representations to the Board of Directors must be received within 10 working days of the complainant expressing their dissatisfaction with the Stage 2 resolution, or the Trust will consider the matter closed.

The panel must contain one person who is independent of the management and running of the Trust Academy that the complaint refers to.

The panel will consist of at least 3 people who have not been directly involved with the complaint.

The hearing must be within 15 working days of the Assistant to the Board receiving notice of the Trust's receipt of the written representations from the complainant.

The complainant must be told of their right to be accompanied and where required translations/interpreters must be arranged by the Assistant to the Board in consultation with the parties.

The panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

The agenda for a panel hearing can be found in Appendix 4.

Careful consideration must be taken when the complainant is a student.

The panel will hear the complaint, consider all the views expressed and decide the outcome.

The panel can:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint; or
- recommend changes to the Academy's or Trust's systems or procedures as appropriate, any such recommendations will be shared with the CEO and Principal of the Academy concerned.

The panel's decision is binding.

The decision at this stage must be communicated by the Chair of the Panel through the Assistant to the Board of Directors to the complainant and the person(s) complained about within THREE working days of the hearing.

The findings and recommendations of a panel will be available for inspection on academy premises by the proprietor or Principal.

6. Dealing with complaints through Education, Skills and Funding Agency

Any person who has a complaint and is not satisfied with its handling by the Trust may contact the ESFA via the [schools complaint form](#). Please click on the link to be redirected to this page.

7. Vexatious and Persistent complaints

Where a complainant tries to re-open the issue with the Academy after the complaints procedure has been fully exhausted and the Academy has done everything it reasonably can in response to the complaint, the Principal (or Chair of the Board in the case of a complaint against the CEO or a Director) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the Academy again about the same issue, the Academy can choose not to respond. The normal circumstance in which it will not respond is if:

- The academy has taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of the academy's position and their options (if any)
- The complainant is contacting the academy repeatedly but making substantially the same points each time.

However, this list is not intended to be exhaustive.

The Academy will be most likely to choose not to respond if:

- There is reason to believe the individual is contacting the academy with the intention of causing disruption or inconvenience
- The individual's letters/emails/phone calls are often or always abusive or aggressive

- The individual makes insulting personal comments about, or threats towards, academy staff.

Unreasonable behavior which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the Academy has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email by the Trust.

The Academy will ensure when making this decision that complainants making any new complaints are heard, and that the Academy acts reasonably and follows this policy's procedures.

8. Investigating complaints

The person investigating the complaint will make sure that they:

- are not the subject of the complaint, nor are linked to the subject of the complaint
- establish **what** has happened so far, and **who** has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- investigate those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interviews and investigations and make these available should a complaint move to Stage 3.

9. Resolving complaints

At each stage of the procedure the person attempting to resolve the complaint 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; and
- an undertaking to review Academy/Trust policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. The Directors acknowledge that an apology or admission that the Academy/Trust could have handled the situation better is not the same as an admission of negligence.

The Principal (in Stages 1 and 2) / Chair of the Panel (Stage 3) will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

10. Reporting and recording

In all cases it is important for complainants to use the Complaints Form (Appendix 1 and 2) so that written records of the complaint and the action taken can be recorded and tracked. Supporting documents should be attached to the form as required.

Details of whether or not a complaint was resolved following a stage 2 or stage 3 process will be logged by the Trust.

Any action taken by the academy as a result of a complaint will also be logged by the Trust.

11. Monitoring and review

The Principal will report to staff from time to time, and to the CEO annually or earlier if the Directors so determine, on the number and type of complaints received and their outcomes.

Appendix 1. Complaints Form Stage 2

Complaints Form. This form is a copy for Appendix only, the form for completion should be downloaded from the relevant academy website (full contact details in Appendix 3)

Complaint Form Stage 2

The complainant should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned.

A. Your Details

Name in Full:

Address including postcode:

Email Address:

Daytime Phone Number:

Mobile Phone Number:

B. If you are making a complaint on behalf of someone else, what are their details?

Their Name in Full:

Address including postcode:

What is your relationship to them?

Why are you making a complaint on their behalf?

C. About your complaint

C1. Name of the Academy you are complaining about:

C2. Nature of the complaint: (please use additional sheets if required)

C3. Describe how you have been affected:

C4. When did you first become aware of the problem?

C5. If it is more than 3 months since you first became aware of the problem, please give the reason why you have not complained before:

C6. Have you already put your complaint to a member of staff (stage 1)? If so please give details of how and when you did so:

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else:

Signature:

Date:

Please email this form and any documents to support your complaint to the Academy Principal.

OFFICIAL SCHOOL USE

Date complaint received:

Date complaint passed to the Principal:

Appendix 2.

HAT Complaints Form. This form is a copy for Appendix only, the form for completion should be downloaded from the relevant academy website (full contact details in Appendix 3)

Hatton Academies Trust Complaint Form Stage 3

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned.

A. Your Details

Name in Full:

Address including postcode:

Email Address:

Daytime Phone Number:

Mobile Phone Number:

B. If you are making a complaint on behalf of someone else, what are their details?

Their Name in Full:

Address including postcode:

What is your relationship to them?

Why are you making a complaint on their behalf?

C. About your complaint

C1. Name of the Academy you are complaining about:

C2. Nature of the complaint (please use additional sheets if required):

C3. Stage 1 – the date you first logged your complaint and the name of the member of staff who dealt with the complaint.

C4. Stage 2 – the date you logged your complaint form to the Academy Principal (please enclose a copy of this form).

C5. Detail why your complaint remains unresolved after Stages 1 and 2, explaining why you wish to escalate to Stage 3. (please use additional sheets if required)

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else:

Signature:

Date:

Please email this form including your supporting documents to Debbie Felce

by email to: felced@hattonacademiestrust.org.uk

or send a hard copy to: Debbie Felce, Hatton Academies Trust, Orchard House, The Pygthle, Wellingborough, Northants. NN8 4RP.

OFFICIAL SCHOOL USE

Date complaint received:

Complaint referred to:

Date:

Appendix 3. Contact Details:

Sir Christopher Hatton Academy

www.hattonacademy.org.uk

Mr Alastair Mitchell & Mir Nick Salisbury – Co-Principals

Email: head@hattonacademy.org.uk

Victoria Primary Academy

<http://www.victoria-pri.northants.sch.uk/>

Hayley Scargill - Principal

Email: Scargillh@victoriapriaryacademy.org.uk

Oakway Academy

<http://www.oakwayacademy.org.uk/>

Claire Byron - Principal

Email: c.byron@oakwayacademy.org.uk

Ecton Village Primary Academy

<http://ectonvillageacademy.org.uk/>

Kate Cleaver – Principal

Email: cleaverk@ectonvillageacademy.org.uk

Hatton Academies Trust

<http://www.hattonacademiestrust.org.uk/>

Debbie Felce

Email: felced@hattonacademiestrust.org.uk

Appendix 4. Stage 3 Panel Hearing Agenda

1. Introduction
2. Presentation by Complainant
3. Questions from Management Representative
4. Questions from the Panel
5. Presentation by Management Representative
6. Questions from the Complainant
7. Questions from the Panel
8. Adjourn for Deliberation on Decision
9. Meeting Close