



The Bulwell Academy

Complaints Procedure Policy



Complaints Procedure Policy

This policy sets out the procedures the Academy will follow when dealing with a complaint from a Parent/Carer of a pupil at the Academy.

At The Bulwell Academy we strive for excellence in all areas of the Academies work. There will however be occasions when our practice or procedures do not fully meet our aspirations. The Academy welcomes constructive criticism and believes that all students, their parents and other users of the Academies facilities, as stakeholders, have a right to a clear and transparent procedure for dealing with any concerns that may arise.

Complaints about issues that are the responsibility of the Academy are dealt with through the School's Procedures, including those about:

- Bullying
- Discrimination on the grounds for example of race or gender
- School environment
- Decisions about examination entries

Investigations into complaints made about an individual member of staff will be carried out by the Principal. There are certain complaints that will fall outside the remit of this procedure:

- Staff grievance and capability
- Staff disciplinary
- Child protection investigations
- Admission appeals
- Exclusion appeals
- Appeals against the Local Authority's decision about a child's special educational needs and provision.

Anyone uncertain about which procedures will be used should contact the Academy for advice.

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THE ACADEMY'S COMPLAINTS PROCEDURE

Our complaints procedure has three stages informal, formal and a panel hearing stage.

Informal Stage

In the first instance a complaint should be raised informally with the academy either by phone (0115) 9647640 or by email to Tracey Sadler, PA to the Principal at info@bulwellacademy.co.uk.

However there are times when it may be felt that the matter has not been sufficiently dealt with through the School's procedures in which case the complaint should then be raised formally.

Formal Complaint Stage

If the complainant is not satisfied with the response received from the Informal Stage s/he may take the complaint to the next stage of the process for the Principal to investigate further. (If the complaint is about the Principal or if the Principal has already had extensive involvement at the Informal Stage the Chair of Governors will carry out the investigation at this stage of the complaint). If the complainant wishes to move to this next stage they should put their complaint in writing.

The Academy aims to provide oral or written acknowledgement of a complaint within two working days and a target date for response will be given (usually within 15 school working days). If it is not possible to resolve matters within this timescale an explanation will be given, with a revised target date.

The Principal will provide the complainant with the opportunity to meet to discuss the complaint further and it is reasonable to allow a friend or advocate to accompany the complainant to the meeting if the complainant wishes.

The Principal or designated Senior Leadership Team (SLT) member will interview any relevant witnesses. In cases where students are involved, they may wish to be interviewed with parents or carers present. If that is not possible, then a member of staff with whom the student feels comfortable will be asked to attend. Written records will be kept of all meetings, telephone conversations, etc.

The Principal will explain to the complainant the Academies response to the complaint. Any action plans will be written down and approved by all parties and the complainant will be advised of the next stage of the procedure in case he or she is not satisfied with the response at Stage 1.

Panel Hearing Stage

If a complainant makes an appeal against a decision at an earlier stage of the complaints process, the procedures outlined below will be followed.

The complaint should generally be made in writing, although the panel will be sympathetic to cases where a complainant has difficulty with written communication.

(1) Acknowledgement

Written acknowledgement of the complaint will usually be made within two days. The acknowledgement will tell the complainant that the complaint is to be heard by a panel of three members within 20 school working days of receiving the complaint. The letter will explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the panel members.

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(2) The panel

The panel members will consist of two governors who have had no prior involvement with the complaint and a person who is independent of the management and day to day running of the academy. If s/he has not previously been involved, the Chair of the Governing Body will chair the panel – otherwise another governor (e.g. Vice-Chair of the Governing Body) will do it.

(3) Timescale

The panel Chair will ensure that the panel will hear the complaint within 20 working days of receiving the request to move to the panel hearing stage. All relevant correspondence regarding the complaint will be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to panel members.

The Chair will write to inform the complainant, Principal, any relevant witnesses and members of the panel of the date, time and place of the meeting. This will be done at least 5 working days in advance.

The complainant will also be informed his/her right to be accompanied to the meeting by a friend/advocate/interpreter and of his /her right to submit further written evidence to the panel. The letter will also explain how the meeting will be conducted.

(4) Who will attend?

The Principal will be invited to attend the panel meeting and to prepare a written report for the panel in response to the complaint. At the discretion of the Chair, the Principal may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint.

Any relevant documents including the Principal's report will be sent to all concerned – including the complainant – at least 5 working days prior to the meeting.

The Chair will ensure that the meeting is properly minuted.

(5) The Meeting

The aim of the meeting is to resolve the complaint and where possible to achieve reconciliation between the school and the complainant.

If either party wishes to introduce previously undisclosed evidence or witnesses, the meeting will be adjourned (in the interests of natural justice) so that the other side has time to consider and respond to the new evidence.

The meeting will allow for:

- The complainant to explain their complaint and for the Principal to explain the Academies response
- The Principal to question the complainant about the complaint and the complainant to question the Principal and/or other members of staff about the Academies response
- Panel members to have an opportunity to question both the complainant and the Principal.

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- Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both the complainant and the Principal. The Chair will explain to the complainant and the Principal that the panel will now consider its decision and a written decision will be sent to both parties within 15 days. The complainant, Principal, other members of the staff and witnesses will then leave.

(6) The Decision

The panel will then consider the complaint and all the evidence presented and:

- Reach a unanimous, or at least a majority, decision on the complaint
- Decide upon the appropriate action to be taken to resolve the complaint
- Where appropriate, suggest recommended changes to the Academies systems or procedures to ensure that problems of a similar nature do not happen again

A written statement outlining the decision of the panel will be sent to the complainant and Principal. The letter to the complainant should explain whether a further appeal can be made and, if so, to whom. This will normally be the Department for Education through their school online complaints form or by post to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Generally this would be the end of the Governing Body's involvement in the complaint process. However, the Governing Body might also consider an appeal if a complainant is able to demonstrate that new information or evidence has come to light, which was not available at the time of the original complaint and which might significantly affect the findings of the complaints panel.

The Academy will keep a copy of all correspondence and notes on a confidential file in the Academies records. These records will be kept separately from the students' personal records.

