

# Phoenix Junior Academy



FPTA Academies



## Complaints Policy and Procedures Trust Policy

Date written: February 2018

Date received by staff:

Date to be reviewed: February 2020

Updated ... June 2018 Trust amendments in Sept 2019

The Trust's aims are to ensure that all children within our schools gain a first rate education, develop the skills necessary for the next stage in their lives and are equipped with the personal values and attributes that will make them successful in a fast changing world.

**The Trust believes that meaningful communication between schools and stakeholders is vital in order for children to achieve and progress. There is a requirement for schools to have a complaints procedure, but addressing concerns at an early stage and informally will improve relations with stakeholders and should reduce the number of complaints. The Trust provides a standard complaints procedure for all its schools as it believes that this will help care-givers who may have children in more than one of its schools.**

**The Trust accepts concerns and complaints as opportunities to enable it to address any issues before they become a problem.**

Complaints about admissions, exclusions, and special educational needs have different procedures.

Complaints may be made by the wider community.

**Links to other policies** – Equality, Admissions, Behaviour, Special and Additional Educational and Disability Needs.

**Diversity (equality) impact assessment anyone** may voice concerns and have them addressed.

**Monitoring arrangements – LOCAL GOVERNING BODY** could ask the Headteacher/Head of School to report on concerns, particularly if there is a pattern. LOCAL GOVERNING BODY could use 'parents' view' to identify concerns.

### **Risk Assessment**

Area	Risk	Managed by Procedure
Child protection	Disclosure as part of complaint	CP procedures
Financial	Tribunal costs	Proper investigation and fair hearing
Achievement and Attainment		
Business continuity	Reputation	Proper investigation and fair hearing
Other		

Date of Trustee approval: July 2019

Review arrangements including date of review: July 2020

**Procedure –**

The LGB is responsible for the first hearing, using its own members if possible but supplemented if necessary by other local governors from within the Trust, Trustees of the Trust, or, if considered advisable, independent members. The Trust is responsible for the second hearing. The panel for the second hearing must not include any member of the panel from the first hearing.

The school procedure should be reviewed following any complaint hearing.

# Phoenix Junior Academy

## COMPLAINTS PROCEDURES

### **Introduction**

The FPTA Trust strives to ensure that all the Academies provide the education and service that is second to none. However, it realises that there may be a time when something goes wrong and we fall below the very high standards we set ourselves.

This policy sets out the framework within which schools will deal with a complaint or concern about something that has happened and we will strive to deal with it at the earliest stage possible.

### **Legal framework**

This policy and the procedures setup by the schools to implement it meet the standards required by [Education \(Independent School Standards \( England\) Regulations 2014](#).

### **What does it apply to?**

This policy applies to all Academies in the Trust and deals with worries and dissatisfaction about any aspect of the Schools, the community facilities and the services they provide.

### **What is does not apply to**

This policy does not apply to any decision made regarding -

Exclusions

Admissions

Staff matters

These matters are covered by specific polices and regulations

### **Equalities Statement**

This policy complies with the requirements of the public-sector equality duty as set out in the [FPTA Equality Policy](#).

### **The Policy**

The FPTA complaints policy ensures that complaints are dealt with within the time frame specified – and as quickly and effectively as possible.

Its policy is that all issues and concerns should be resolved informally without the need for a formal process – however, it recognises that in some few cases this is not possible and therefore formal stages are required.

If the complaint is about the Head Teacher – the complainant may go directly to Stage 4 of this policy.

At each stage, the decision letter must state clearly what the next stage of the process is and to whom the complainant should write if they wish to take their complaint further.

There will be five stages for this policy and this will be followed by all Academies within the Trust.

### **Informal Stage**

Where issues and concerns are brought to the attention of the person who can best resolve them. This may be the teacher or other member of school staff. They will be responded to within 3 working days.

**Formal Stage One** – A complaint in writing should be made to the member of staff dealing with the issue.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed. The complainant must be informed of this before the original 10 days has expired.

Details of how a complaint can be taken further will be included within the response.

### **Formal Stage Two**

If the complaint has not been resolved at Stage One, the complainant must write within 10 school days to the person detailed in the letter stating why they are unhappy with the proposed resolution.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed for a full response. The complainant must be informed of this before the original 10 days has expired.

Details of how a complaint can be taken further will be included within the response.

### **Formal Stage Three**

If the complaint has not been resolved as Stage 2 then the complainant may, within 10 school days, write to the Head Teacher stating why they are unhappy with the resolution proposed and indicating what resolution they would prefer.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed for a full response. The complainant must be informed of this before the original 10 days has expired.

#### **Formal Stage Four**

If the complaint remains unresolved at Stage 3 the complainant may, within 10 school days, refer their complaint to the Chair of Governors.

The Chair of Governors will review the complaint and provide a response within 15 school days.

If the Chair of Governors decides to call a Complaints Panel, it shall consist of a minimum of three Governors who are totally independent of the issue and the complainant. The Complainants Panel shall be called to meet the timescale of 15 days.

#### **Final Stage**

If the complaint remains unresolved at Stage 4, the complainant may, within 10 school days of the response being received, refer their complaint to the Chair of the Trustees stating why they are unhappy with the resolution proposed.

The Chair of the Trustees shall review the complaint and provide a response within 15 school days.

The Chair of Trustees will convene a Complaints Panel to support this review and this panel will consist of two Trustees who have not been involved in the complaint previously and one independent member unconnected with the Trust. The complainant will be invited to attend the panel and make their complaint in person, they can be accompanied if they wish.

#### **Complaints Register**

Each Academy will maintain a confidential register of all formal complaints.

Complaints that reach Stage Four will be reported to the next Local Governing Board meeting.

Complaints that reach Stage Five will be reported to the next Trust meeting.

Any Stage that is not dealt with within the required time frame will be reported to the next Local Governing Board meeting.

The Complaints Register will be reviewed twice annually by the Chair of the Local Governing Body and a report on the number of complaints in any one academic year will be made to the first Local Governing Body Meeting of the following academic year.

## **THE TERMS OF REFERENCE FOR A COMPLAINTS PANEL**

The aim of the panel, will always be to resolve the complaint and achieve reconciliation between the academy and the Complainant. The Chair of any panel will be appointed by the LGB Chair or Chair of Trustees.

The hearing will be held in private and will be clerked to ensure there is an accurate record of the panel discussion.

The panel will come to a unanimous decision based on the information and evidence presented to them ensuring that they take the complaint seriously.

The Panel may:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part and decide on the most appropriate action to be taken to resolve it.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Chair of the panel will ensure that the Complainant is notified of the panel's decision, in writing, within 5 days.

The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

# FPTA Academy Trust

## COMPLAINT FORM

*This form should be used in accordance with our 'Complaints Policy' and relevant procedures. (Available on our website or in printed format, upon request). We will respond to your complaint within the timelines outlined in our 'Complaints Policy'.*

NAME(S):	DATE:
ADDRESS:	
TELEPHONE NUMBER:	
E-MAIL ADDRESS:	
PUPIL(S) NAME(S) (if relevant)	
YOUR RELATIONSHIP TO THE PUPIL(S) (if relevant)	

*Please complete the following information in as much detail as possible for us to deal with your complaint effectively. Please use another sheet if there is insufficient space. Completed forms should be returned to the member of staff your complaint is against and/or the Head Teacher (and the Chair of Governor, if necessary) at your earliest convenience.*

DETAILS OF COMPLAINT

SIGNED: \_\_\_\_\_

**PAGE No. 1 OF \_\_\_\_**

WHAT ACTION, IF ANY, HAVE YOU ALREADY TAKEN TO TRY AND RESOLVE YOUR COMPLAINT?  
PLEASE STATE WHO YOU SPOKE TO AND WHAT THEIR RESPONSE WAS.

HAVE YOU ATTACHED ANY PAPERWORK OR EVIDENCE TO SUPPORT YOUR COMPLAINT? YES/ NO\*

IF YES, PLEASE NUMBER ALL PAGES AND STATE WHAT YOU HAVE ATTACHED:

\*delete as applicable

Signed.....

PAGE ... OF .....

WHAT ACTION WOULD YOU LIKE US TO TAKE NEXT, TO RESOLVE YOUR COMPLAINT?

WHAT OUTCOME DO YOU HOPE TO ACHIEVE FROM THIS COMPLAINT?

SIGNED: \_\_\_\_\_

**PAGE ... OF ...**

Additional pages may be attached, and each page should be signed and numbered.

