

	<p>The Duston School</p> <p>Policy</p>	
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Policy Title	Complaints Policy	Version No	1
Rationale	<p>The Duston School is a 4-19 mixed, all-through School, with designated Specialist College status in Business & Enterprise, and Science.</p>		
Policy Statement	<p style="text-align: center;">1. General Principles</p> <p>Individuals should always know how they can raise concerns or lodge a complaint. The policy can be found on the Academy website and will also be available in paper format.</p> <p>Procedures should be as timely as possible. Each stage of the procedure has stipulated time limits. Where it is not possible to meet these, information about progress will be given to the complainant.</p> <p>1.1 Support</p> <p>If required, support for the complainant can be offered from individuals or organisations that are clearly separated from those complained against, such as Citizens Advice Bureaux, refugee support organisations and other local advice centres.</p> <p>Staff who may be questioned as part of a complaint investigation must feel they are being treated in a fair way and that they too will have an opportunity to put their case and be represented. They will be told about the procedure and kept informed of progress. There is an important balance to be maintained between supporting the individual so that their rights and reputation are protected during the course of an investigation.</p> <p>The complaints procedure is distinct from the formal disciplinary procedure for staff. There may be occasions where a complaint prompts a disciplinary investigation which puts the complaints procedure on hold. Where this occurs, the complainant will be informed and any non-disciplinary aspects of the complaint will be dealt with by this complaints procedure. The procedure can be used by parents, volunteers and other third parties other than employees.</p>		

Within the Residential Special Academies pupils may contact their parents/carers in private as set out in Standard 4 of the National Minimum Standards for Residential Special Schools, and communication aids should be made available for pupils who need them and are involved within the complaint.

1.2 Confidentiality

All conversations and correspondence will be treated with discretion. Where the complaint is raised by a parent they need to feel confident that their complaint will not penalise their child. From the outset all parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure. It is at the discretion of the Principal as to whether anonymous complaints warrant an investigation. It is usual to disregard anonymous complaints unless somebody is prepared, and able, to substantiate them.

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 162A of the Education Act 2002 request access to them.

1.3 Redress

If the outcome of the complaint shows the Academy and/or any member of staff is at fault it will be appropriate to offer one or more of: an apology, an explanation, an indication that the event complained of will not recur, an undertaking to review Academy policies or, in appropriate circumstances, financial compensation.

1.3 Staff awareness and training

Staff confidence in handling complaints depends on their having clear information about procedures, and relevant training in the practical interpersonal skills needed in dealing with people who are upset or angry. All staff will have clear information about which staff have which responsibilities so that complainants do not get continually passed from one person to another.

1.4 Record keeping

Complaints will be recorded in writing and monitored termly by members of the Senior Leadership Team. Recording will begin at the point when a broad concern has become a specific issue that cannot be resolved instantly, but needs investigation. Recording at the earliest stages need only be a basic record with the date, name and nature of the complaint. The record will detail whether the complaints were resolved at the preliminary stage or whether they had to proceed to the formal stages of the procedure.

2. Guidelines for Each Stage

2.1 Preliminary Stage 1 - Dealing with concerns and complaints informally.

The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved immediately through the class teacher or Principal, depending on whom the parents first approached.

Individuals must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a parent.

At first it may be unclear whether an individual is asking a question or expressing an opinion rather than making a complaint. An individual may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

2.2 Stage 1 Procedure

Individuals have an opportunity for discussion of their concern with the appropriate member of staff who clarifies with the individual the nature of the concern, and reassures them that the Academy wants to hear about and resolve it. It can be helpful to identify at this point the nature of the outcome the individual is seeking.

If the first member of staff to be contacted regarding a concern is unable to deal with it, they should make a note of the date, the name, contact number and address of the concerned person and refer them onto the appropriate person. They should check later to make sure the matter has been pursued.

If the concern relates to the Principal, the individual should be advised to contact the Chair of Governors.

The staff member dealing with the concern will make sure that the individual knows what action (if any) or monitoring of the situation has been undertaken.

2.3 Stage 2 – Referral to the Principal for Investigation

At this stage it has become clear that the concern is a definite complaint. One of the reasons for having graduated stages in the procedure is to reassure complainants that their grievance is being taken to the appropriate level of management

2.4 Stage 2 Procedure

The Principal will acknowledge the complaint orally or in writing within 3 working days of its receipt. An opportunity will be given for the complainant to meet the Principal (or designate) to provide any supplementary information. The complainant may be accompanied at the meeting by a person of his or her own choice who is independent of the complaint.

The Principal will interview any witnesses or others who can provide relevant information and take statements from those involved. If the complaint centres on a pupil, the pupil may also be interviewed, normally with the parents present. If a member of staff is complained against, the need to support that person should be borne in mind.

The Principal will keep written records of meetings, telephone conversations and other documentation.

Once the facts have been established the Principal will write a response or may meet the complainant to discuss / resolve the matter directly. The complainant will be advised that should they wish to take the complaint further, then they should write to the Chair of Governors within two calendar weeks of receiving the outcome letter.

If the complaint is against the Principal, stage 2 will be carried out by the Chair of Governors.

If the complaint is against the Governing Body of the Academy then the complaint will be referred to the Trustees.

2.5 Stage 3 – Review by the Governors

Complaints should, normally, only rarely reach this formal level, where the complainant is not satisfied by the Principal response. It may be appropriate that the Governors consider this now to be a complaint against the Academy, rather than against the member of staff/pupil whose alleged actions led to the original complaint.

2.6 Stage 4 Procedure

The Chairman of Governors will acknowledge the complaint in writing and will set up a hearing of a Governing Body Panel within 15 working days of receiving the complaint. The panel will consist of at least two governors who were not directly involved in the matters detailed in the complaint, and an additional person who is independent of the management and running of the Academy. The letter from the Chairman of Governors will also explain that the complainant may submit any further relevant documents in advance of the hearing. Governors hearing the complaint will have had no prior involvement with the complaint.

All parties will be given five working days' notice of a hearing. The complainant may be accompanied to the hearing by a person of their choice who is independent of the complaint.

If not the subject of the complaint, the Principal will attend the hearing to offer advice and information. Involvement of other staff is subject to the discretion of the Chair of Governors.

The aim of the hearing will be to resolve the complaint and achieve a reconciliation between the Academy and the complainant. However it has to be recognised that it may only be possible to establish facts and make a determination. The hearing proceedings will be as informal as possible.

The hearing will allow for:

The complainant to explain their concern and for the Principal to explain the Academy's response.

The complainant and the Principal to question each other and for members of the hearing panel also to ask questions.

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.

Following the hearing the panel considering the complaint will send their written decision by electronic mail or otherwise to both parties with 5 working days. The decision will detail the panel's findings and will make recommendations in regards to the complaint. The written decision will be made available for inspection on the Academy's premises by the Trustees and the Principal.

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	<p>2.7 Stage 5 – Review by an Independent Arbitration Panel established by the Company’s Board</p> <p>If the complaint is not resolved at the end of stage 4 then the complainant may seek to address an independent panel of the Company’s Board with their complaint.</p> <p>The decision of the Independent Arbitration Panel will be final from an internal perspective.</p> <p>2.8 Stage 6 – Referral to the Department</p> <p>Ultimately, and very rarely, complaints can be taken to the Secretary of State on the grounds that a governing body is acting or proposing to act unreasonably or on the grounds that either has failed to discharge its duties under the Education Acts.</p>
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Staff Responsible	MRA		
Date approved by GB:	15/10/15	Review Date	October 2019