

One Degree Academy

Complaints Policy

Date Ratified by GB	Sept 2020
Author	ASA
Person Responsible	JHO



AVAILABILITY

This procedure is available in writing on request to pupils, parents of pupils and prospective pupils of the Academy. While pupils may themselves raise concerns and complaints under this policy and procedure, the Academy will involve parents should this occur. Copies are available:

- by writing to One Degree Academy, Chace Village Road, Chase Farm, EN2 8FU
- on request from the Academy Reception; or
- at the Academy's website www.onedegreeacademy.org

COMPLAINTS PROCEDURE

This procedure will be relied upon in respect of **all complaints** by parents and pupils made against the Academy except in respect of;

- child protection allegations where a separate policy and procedure applies; and
- exclusions where a separate policy and procedure applies; and
- appeals relating to internal assessment decisions for external qualifications where a separate appeals procedure applies; and
- statutory assessments of special educational needs; and
- whistle blowing where a separate policy and procedure applies; and
- staff grievances where a separate policy and procedure applies; and
- staff discipline where a separate policy and procedure applies.

If your complaint relates to **Early Years Provision** please refer to Appendix C, as this is covered by a separate set of guidelines.

Complaints made by people who are not parents or pupils of the Academy are not covered by this Procedure, and such individuals should contact the Academy office.

The Academy expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving those listed above must be sent in writing to the Principal and will be dealt with under this Complaints Procedure. Complaints should be sent via the Academy office and marked as 'Private and Confidential' (see Appendix A).

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage Three of the Procedure. Complaints that involve the Principal should be addressed to the Chair of Governors via the Academy office (see Appendix A).

Every complaint shall receive fair and proper consideration and a timely response. Please refer to the following guidelines for the specific timescales. We will do all we can to resolve your concern and to ensure you are happy with the education that your child receives in One Degree Academy. Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Should a complainant wish to withdraw their complaint, we will ask them to confirm this in writing.

A written record of all complaints will be kept, including whether they are resolved following a formal procedure or a panel hearing, and including any action taken. Records will be kept for one year after the pupil leaves the Academy.

Correspondence, statements and records will remain confidential except in so far as is required by paragraph 33(k) of the Education (Independent Schools Standards) Regulations 2014; where disclosure is required in the course of the Academy's inspection under section 109 of the 2008 Act or is requested by the Secretary of State.

AIMS

Our Complaints Procedure is in writing, and will:

- encourage resolution of problems by informal means wherever possible; and
- be easily accessible and publicised; and
- be simple to understand and use; and
- be impartial; and
- be non-adversarial; and
- allow swift handling with established time-limits for action and keeping people informed of the progress; and
- ensure a full and fair investigation by an independent person where necessary; and
- respect people's desire for confidentiality; and
- address all the points at issue and provide an effective response and appropriate redress, where necessary; and
- be communicated to all staff likely to be involved in the procedure, with further training provided as appropriate; and
- provide information to the Academy's senior management team so that services can be improved.

The Academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

STAGE ONE - INFORMAL RESOLUTION

- 1.1 If pupils or parents have a concern they should normally contact the relevant teacher or staff member in the first instance. In many cases, the matter will be resolved straightaway by this means. If the teacher cannot resolve the matter alone, it may be necessary for them to consult the Senior Leadership Team as appropriate.
- 1.2 Complaints made directly to the Principal will usually be referred to the relevant teacher unless the Principal deems it appropriate to deal with the matter personally.
- 1.3 The Academy will use its reasonable endeavours to resolve any informal complaints within ten working days of them being raised, except where they are

raised in Academy holidays where the Academy will use its reasonable endeavours to resolve them as soon as possible after commencement of the new term (usually within ten working days).

- 1.4 Should the matter not be resolved as referred to in paragraph 1.3 above, or in the event that the teacher and the parents fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

STAGE TWO - FORMAL RESOLUTION

- 2.1 If the complaint cannot be resolved on an informal basis (as set out in Stage One above) then parents should put their complaint in writing to the Principal using the Complaint Form (Appendix A).
- 2.2 The Principal will delegate responsibility for undertaking investigation of the complaint to a member of the Senior Leadership Team where appropriate, or will deal with the matter personally.
- 2.3 The Principal will decide, after considering the complaint, the appropriate course of action to take.
- 2.4 In most cases, the Principal will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- 2.5 The Principal will use reasonable endeavours to speak to or meet parents within ten working days of the formal complaint being received, except where the complaint is received in Academy holidays, where the Principal will use their reasonable endeavours to speak or meet with parents as soon as possible after the commencement of the new term (usually within ten working days).
- 2.6 It may be necessary for a member of senior staff to carry out further investigations.
- 2.7 Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten working days after speaking or meeting with parents to discuss the matter. The Principal may also arrange to meet with parents to explain the decision.
- 2.8 Where parents are dissatisfied with the outcome of the Academy's response to their formal complaint, the parents have the opportunity to have their complaint considered by an independent Complaints Panel. (Please see Stage 3 for further details.)

STAGE THREE - PANEL HEARING

- 3.1 If parents seek to invoke Stage Three following failure to reach an earlier resolution, and where dissatisfied with the Principal's decision in respect of their

formal complaint, the parents may request that their complaint be further considered by an independent Complaints Panel set up for this purpose.

- 3.2 This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.
- 3.3 Parents must lodge their appeal in writing to the Academy, and within ten working days of the date of the Academy's decision made in accordance with the Stage Two Procedure. The parents should provide a list of their complaint(s) against the Academy and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.
- 3.4 The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
- 3.5 Where an appeal is received by Chair of Governors, they will within five working days, refer the matter to the Clerk to the Board of Governors who will act as Clerk to the Complaints Panel. Where the appeal is received by the Academy during Academy holidays, the Academy has five working days upon commencement of the Academy term to refer the matter to the Clerk.
- 3.6 The Clerk provides an independent source of advice on procedure for all parties.
- 3.7 Once an appeal has been received by the Clerk, they will acknowledge the appeal in writing within five working days, and inform the parents of the steps involved in this Complaints Procedure.
- 3.8 The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty working days after receipt by the Academy of parents' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
- 3.9 The Complaints Panel will consist of three people who were not directly involved in the matters detailed in the complaint. In most cases this will be the Academy Chair of Governors or Vice chair, a member of the Board who has not previously been involved in the complaint, and one person independent of the management and running of the Academy. The process used for selecting an independent person will conform to the relevant guidance issued by the Department for Education (DfE)
- 3.10 The following are entitled to attend a hearing, submit written representations and address the Panel:
 - (a) The parent/s) and/or one representative;
 - (b) The Principal and/or one representative; and
 - (c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making. Legal representation will not normally be appropriate.

3.11 Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- (a) documents in support of complaint(s),
- (b) chronology and key dates relating to complaint(s), and
- (c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents.

3.12 Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five working days in advance of the Panel hearing.

3.13 It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

3.14 After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten working days of the hearing. The decision reached by the Complaints Panel is final.

3.15 Any decision reached that may have financial implications for the Trust will need the appropriate approval from the relevant authorities e.g. the Trust Board, although any such approval must be compatible with the decision of the Complaints Panel.

3.16 The Panel's findings and recommendations will be sent by the Clerk in writing to the complainant and, where relevant, the person complained about. The findings and recommendations will be made available for inspection on the Academy premises by the Principal. The letter will state any reasons for the decision reached by the Panel.

NEXT STEPS

If the complainant believes the Academy did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage Three.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by One Degree Academy. They will consider

whether One Degree Academy has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester M1 2WD

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:

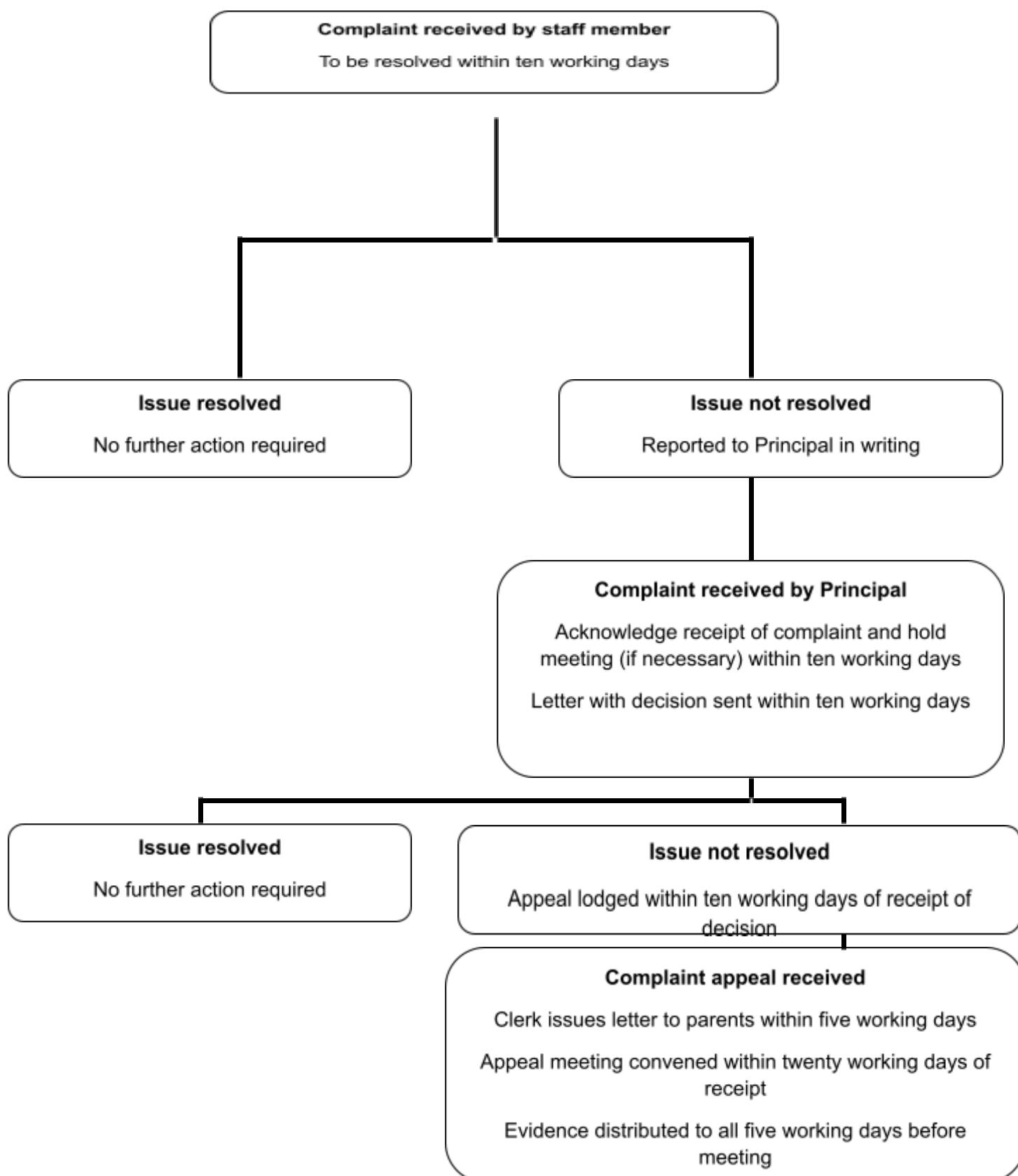
Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Complaints Flowchart Summary (Appendix B)



Early Years Provision procedure (Appendix C)

All written complaints relating to the Academy's fulfilment of the Early Years Foundation Stage requirements will be investigated, and the complainant will be notified of the outcome within 28 days of the Academy receiving the complaint. The Academy will keep a record of the complaint in line with the record-keeping and confidentiality clauses set out in the main procedure above, and will make the record available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the Academy is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

The Academy will notify parents and carers should it become aware that the Academy is to be inspected by Ofsted. The Academy will also make a copy of the inspection report available to parents and carers of children attending the setting on a regular basis.