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Complaints Procedure for Parents/Carers

Introduction

This document sets out Trinity Academy's formal procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the School or the education provided, please discuss the matter with your child's class teacher or Principal at the earliest opportunity. Trinity Academy considers any concerns very seriously and most problems can be resolved at this stage. This procedure is for parents/carers who currently have children at the Academy. Removing children from the Academy forfeits the access/continuation of these procedures

Aims and Objectives

Trinity Academy will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding.

Framework of Principles

This Complaints Procedure is designed to:

- Be easily accessible.
- Be simple to use and understand.
- Be impartial and non-adversarial.
- Allow swift handling with established time-limits for action and keeping people informed of the progress.
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality, wherever possible, although some information sharing may be necessary to carry out a thorough investigation.
- Address all points of issue, providing an effective response and appropriate redress, where necessary.
- Provide information to the Academy's senior management team so that services can be improved.

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion with the Academy and you wish to have the matter formally investigated by an appropriate person from the Academy, please set out the details on the attached form. If you would like help, the Academy will be happy to provide the assistance of someone unconnected with the complaint.

The matter will be investigated by the Principal, or their delegated representative, if it is about:

- the day-to-day running of the Academy.

- the interpretation of Academy policies.
- the actions or inactions of staff at Trinity Academy.

If the matter is about the Principal, then it will be investigated by the Chief Executive Officer.

If the matter is about the Chief Executive Officer, then it will be investigated by the Board of Trustees or their nominee.

The person investigating your complaint will write to you reporting the findings and recommendations of this investigation within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Stage 2

If you are not satisfied with the result from Stage 1, you may choose to refer your complaint to Stage 2 of the procedure. This must be done in writing to the Academy within 10 working days of the completion of Stage 1.

At this Stage, the complaint will be considered by the Chief Executive Officer or the Board of Trustees or their nominee, depending on who carried out the investigation in Stage 1, and the complainant will be informed in writing of the results of this review.

The general principle is that the Academy should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the Academy's procedure. If there are any concerns, the Principal may be asked to re-open the investigation. The complainant will be kept informed of any delay.

If the complainant is not satisfied after the Chief Executive Officer, or the Board of Trustees or nominees, have completed their review you can request that Stage 3 of the procedure is enacted. This must be done in writing to the Academy within 10 working days of the completion of Stage 2.

Stage 3

Stage 3 will be carried out by a panel of nominees who will meet to consider the complaint and make a final decision about it on behalf of Trinity Academy.

In Stage 3, the panel will consist of at least 3 persons who have no detailed prior knowledge of the complaint, or connection with the complainant with at least one person independent of both the Academy and the Board of Trustees. The meeting will take place within 28 working days of your request.

You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case. The Principal will be given the same opportunities.

The panel will write sending the findings and recommendations to the complainant and, where relevant, the person complained about, making them available to the Board of

Trustees, the Chief Executive Officer and the Principal within 5 working days of the meeting. The decision of the panel is final.

If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education.

Exceptional Circumstances

From time to time circumstances may arise where the standard complaints procedure is inappropriate or inadequate to the task. This may require the suspension or curtailment of certain stages of the process or the waiving of formalities. Exceptional circumstances may include, but shall not be limited to:

- When multiple complaints are filed covering the same or overlapping issues.
- When multiple complaints are filed in such numbers as to overload the capacity of the Academy to deal with them and/or need to be bundled into a smaller number of complaints.
- Where complainants are unable/unwilling to observe the details of the process (complete the required forms etc.) but where common sense or the interests of justice suggest their complaint should nonetheless be addressed.
- Where there is serious risk of imminent reputational damage to the Academy/Academy trust.
- Where the requirement for diligent investigation or analysis requires delaying deadlines for action/completion; or where there is exigent demand to speed up the process and arrive at an early solution.
- Where complaints are unusually complex or where the key issues require to be isolated or defined and extraneous issues set aside or where the complaint needs to be simplified.
- Where there are grounds for suspicion that complaints are vexatious or are being brought with a hidden and/or malicious motive (e.g. to impugn the integrity of witnesses in contemplated proceedings.)
- Where observing the standard protocols risks causing injustice.

A complaint may be certified as falling within the 'Exceptional Circumstances' category at the discretion of the Chair or the Vice Chair of the Board of Trustees only.

When a complaint or series of complaints or an issue of concern is deemed to fall within the category, the Chair/Vice-Chair making that decision (the Directing Officer) is authorised under this policy to devise a suitable and bespoke process for investigating and assessing the complaint(s) as he/she sees fit so long as the process meets the requirements set out in section 2 of the DfE guidance 'Creating an Academy Complaints Procedure' (Jan 2015) or replacement guidance. The Directing Officer will inform all interested parties in writing of the details of the bespoke process and associated timescales and response arrangements. He/she will also provide suitable notifications at the start of each stage.

The maximum timescales for matters dealt with under this rubric are:

- 1 Completion of informal stage: 20 school days from date of certification.
- 2 Completion of formal stage: 60 school days from date of Directing Officer's letter that the formal stage has commenced.
- 3 Completion of panel hearing + decision stage: 60 school days from the date of the Directing Officer's notification that the panel stage has commenced.

Complaints from persons who are not parents of attending pupils

Complainants who are not parents of existing pupils will be handled in the same way as complaints from persons who are parents of attending pupils. Such complaints may also be dealt with under the Exceptional Circumstances rules when appropriate.

Unacceptable Behaviour

Complainants who employ insulting, threatening or abusive language or demonstrate aggressive or violent behaviour will not be permitted to attend panel hearings in person, but may give their evidence by telephone/video conferencing as directed by the panel chair.

Confidentiality

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis. Confidentiality will be maintained within the Board of Trustees to ensure sufficient Trustees have no prior knowledge of the complaint to enable a complaints panel to be convened, if required.

Records of complaints

Trinity Academy will retain written records of all complaints, including details of the final outcomes. These records will be kept separate from pupils' personal files

Monitoring and Review

The Board of Trustees will monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Principal will log all formal complaints received by the Academy and record how they were resolved. The Principal and the Board of Trustees will examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

A copy of this procedure will be made available to all parents on the school's website or, on request, a hard copy can be obtained from the Academy.

Review: To be reviewed annually by the Board of Trustees.

Appendix 1

Please complete and return to Principal who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

Official use only

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Copy sent to the Chief Executive Officer:

Date: