



KING'S LEADERSHIP  
ACADEMY LIVERPOOL

# Complaints Procedure Policy

To be reviewed November 2016

## COMPLAINTS POLICY

This policy should be used in conjunction with the DfE Guidance

### Introduction

The majority of issues raised by parents, or pupils, are concerns rather than complaints. King's Leadership Academy Liverpool is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without recourse to formal procedures. However, in those instances where a parent does not feel a concern has been addressed, or it is of sufficient gravity, then the Academy's formal complaints procedure should be used. The prime aim of the Academy's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

The Academy's Business Manager will have responsibility for the operation and management of the Academy complaints procedure. They will maintain written records of all complaints and will indicate whether they were resolved at the preliminary stage or whether they proceeded to a Governors' Appeal panel hearing. They will also ensure that correspondence, statements and records of complaints are kept confidential.

(Note that this does not apply to the requirement of the Academy to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, nor to inspectors conducting inspection under section 163 of the Education Act 2002, or to the Secretary of State, should they ask for access to such records.) The following details outline the stages that can be used to resolve parental complaints.

### The University Academy's policy has four main stages.

In summary they are as follows:-

**Stage 1** – A concern is raised informally with an appropriate member of staff. If the matter is not resolved, then it goes to:-

**Stage 2** – The Academy receives a formal written complaint. If the matter is not resolved, then the complaint goes to:-

**Stage 3** – The Principal hears the details of the complaint and arranges a further investigation. If the matter is still not resolved, then the complaint goes to:-

**Stage 4** - The Governing Body's Complaints' Appeal Panel for a formal hearing of the complaint.

### Stage 1 – Raising a concern

Concerns can be raised with the Academy at any time and will often generate an immediate response, which will resolve the concern. Apart from the Academy's normal Parental Consultation Evenings, or other arranged meetings with specific staff, the Academy requests that parents make their first contact with their son's/ daughter's Form Tutor/ Assistant Progress Leader or Progress Leader. On some occasions the concern raised may require investigation, or discussion with others, in which case there will be an informal but informed response **within two days**. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way.

### Stage 2 – Making a complaint

Formal complaints should be put in writing and sent to the Academy, addressed either to the Principal or a designated member of staff. The complaint will be logged, including the date it was received. The

Academy will normally acknowledge receipt of the complaint **within two days** of receiving it. In many cases this response will also report on the action the Academy has taken to resolve the issue.

Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place **within five working days** of the receipt of the formal complaint but in any case within no more than ten working days. If, on the other hand, it is felt that the matter is too serious to be dealt with at this stage, then the matter will be passed directly to the Principal\* (see stage 3 below). The aim will be to resolve the matter as speedily as possible.

### Stage 3 – Further Investigation

If the matter has not been resolved at Stage 2, or it is felt that the matter is too serious to be dealt with at Stage 2, the Principal, or another designated member of staff, will undertake a further investigation. Following the investigation, the Academy will normally give **a verbal or written response within five working days but in any case within no more than ten working days.**

\* **N.B.** In cases where the matter concerns the conduct of the Principal, both the Governing Body and the Principal will be informed of the complaint and the Governors will arrange for the matter to be further investigated. The Academy will normally give a response **within five working days but in any case within no more than ten working days.**

### Stage 4 – Appeal

If the matter has still not been resolved at Stage 3, then the Academy will advise the complainant of the right to refer to the Governing Body. Complainants should send their written complaint to the Chair of Governors asking for the matter to be considered by the Governors' Appeal Panel with delegated powers to hear complaints. The hearing will normally take place **within ten working days** of the receipt of the written request for Stage 4 investigation. The complainant will be informed of their right to attend and to be accompanied at the Governors' Appeal Panel hearing.

The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the Academy and the complainant. All parties will be notified of the Panel's decision in writing within **three working days** after the date of the hearing. The letter will also contain details of any further rights of redress available.

N.B:- The Governors' appeal hearing is the last Academy-based stage of the complaints' process.

### Monitoring, Evaluation and Review

The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

## APPENDIX: COMPLAINTS PROCEDURE

### Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the Academy can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedure, they know what to do when they receive a complaint.

The Academy respects the views of a complainant who indicates that he/ she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Complaints Coordinator can refer the complainant to another staff member. Where the complaint concerns the Principal, the Complaints Coordinator can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Coordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step is to refer the complainant to the appropriate person. In normal circumstances governors will not be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

#### Stage Two: Complaint Heard by Principal

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage One as well as pursuing their initial complaint. The Principal may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

#### Stage Three: Complaint Heard by Governing Body Complaints Appeal Panel

If still dissatisfied the complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel none of whose members will have been directly involved in previous consideration of the complaint. **One of the members of the panel must be independent of the management and running of the Academy.**

The governors' appeal hearing is the last Academy-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

#### The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- b) The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing

does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

- c) Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend. It is important that the complainant is given the opportunity to be accompanied at the meeting.
- d) The governors sitting on the panel need to be aware of the complaints procedure.

#### Roles and Responsibilities: The Role of the Clerk

The Clerk is the contact point for the complainant and required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings and pass the records to the Complaints Coordinator
- notify all parties of the panel's findings and recommendations i.e. the complainant, proprietors, Principal, and, where relevant, the person complained about

#### The Role of the Chair of the Governing Body or the Nominated Governor

The Nominated Governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the Clerk to arrange the panel;

#### The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

#### Notification of the Panel's Decision

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, within four weeks. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.