

SHAW WOOD ACADEMY



COMPLAINTS POLICY

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Approved By Governors :	Signed By Chair :	Dated By Chair :

Shaw Wood Academy Complaints Procedure

All Schools and Academies are required to establish a Complaints Procedure.

We aim to ensure that Shaw Wood is a happy, safe and caring school so that our pupils benefit from the best possible education. Governors and Staff are committed to working with parents and carers to this end. However, we recognise that there may be times when parents, carers and other stakeholders have concerns or complaints which they wish to bring to our notice.

The aim of this Complaints Procedure is to deal with complaints speedily and efficiently. This procedure applies to complaints against the school and its operations, including the actions of personnel and the content and delivery of the curriculum.

The Governing Body takes complaints against the school very seriously. An outline of any formal complaints which are upheld will be reported to the Governing Body by the Headteacher. (upheld at stage 1&2) or to the Chair of Governors (upheld at Stage 3)

General Principles

All complaints will be dealt with in a transparent way and as quickly as is reasonably practicable.

If the procedure is invoked, complainants will be kept informed of the progress of their complaint. At each stage we will consider ways in which the matter can be resolved.

At the end of the process, the aim is to ensure that if the complaint is not upheld, the complainant understands and accepts the school's actions and procedures. If the complaint is upheld in whole or in part, one or more of the following will be offered.

- An apology
- An explanation
- An admission that the matter could have been handled differently or better
- An assurance that the event complained of will not recur and an explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review school policies in light of the complaint.

It should be noted that an acceptance that the school could have handled the matter better is not an admission of negligence.

At each stage the person investigating the complaint will:-

- Establish what has happened so far and who was involved.
- Clarify the nature of the complaint
- Meet with or contact the complainant
- Clarify with the complainant what might put things right

- Interview with an open mind those involved or those complained of (allowing them to be accompanied).
- Respect people's desire for confidentiality
- Ensure that all paper work, including records of date and time and a summary of telephone conversations, are retained.

Stages of the Procedure

It is expected that most concerns and minor complaints can be resolved quickly and informally.

- If you do have a complaint or concern speak to your child's class teacher or support worker in the first instance.
- If the matter cannot be resolved in this way then it will be necessary to proceed to the formal stage.
- If the complaint is about the Headteacher you should proceed to Stage 2 and Write to the Chair of Governors.

STAGE 1

- You, the Complainant must write to the Headteacher describing your complaint
- The Headteacher will contact/arrange to meet with you to discuss the complaint as soon as is practicable or certainly within ten working days of receipt of the letter
- The Headteacher will investigate the matter and respond in writing as soon as possible but within ten working days.
- If the matter is not resolved to the satisfaction of both parties then it will be necessary to proceed to the next stage.

STAGE 2

- You, the complainant should now write to the Compliant Panel stating the nature of the complaint.
- The Complaint Panel will be in contact with you to find out more about the concern/complaint and then will investigate the matter on behalf of the Governing Body.
- Following the investigation, the Complaint Panel will present the results of their investigation to you, the complainant.

STAGE 3

- If the matter is still not resolved the Governing Body, through a different COMPLAINTS PANEL, will invite you, the Complainant to explain the complaint in more detail.
- After listening to all parties and considering the evidence, the Panel will attempt to resolve the complaint
- The Committee will write to you, the Complainant, with their conclusion
- If you are dissatisfied with the outcome of STAGE 3 you should then move to Stage 4 which involves the ESFA (Education Skills and Funding Agency)

If the complaint progresses to the final panel hearing stage, the academy must:

1. allow the parent(s) to attend and be accompanied if they wish
2. ensure at least one member of the panel is independent of the management and running of the academy

The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

STAGE 4

It is important to note that the ESFA can only consider complaints about Academies where the complaint falls into one of the following areas.

- **That the Academy did not comply with its own complaints procedure when considering a complaint or the Academy's complaints procedure does not comply with the statutory requirements.**

The ESFA cannot review or overturn an academy's decisions about complaints but will look at whether the academy considered the complaint appropriately. The ESFA will generally only do this after a complaint has been through the academy's own procedure but may investigate sooner if there is evidence of undue delays by the academy. If the ESFA finds that an academy did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy's complaints procedure does not meet statutory requirements then the ESFA will ensure it is put right.

- **That the academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State.**

One of the ESFA's main responsibilities is to ensure that academies comply with their funding agreement with the Secretary of State. The ESFA will seek to resolve any concerns regarding potential or actual breaches of the Funding Agreement with the academy directly but this will depend on the evidence provided. Once the ESFA is satisfied that an academy is in breach of the Funding Agreement, and that the breach cannot be addressed informally, then, if appropriate, it will seek to enforce compliance through the courts.

The ESFA will consider evidence that an academy has failed to comply with any other legal obligation placed on it. However, there may be another organisation that is better placed to consider the matter, in which case the ESFA will refer the complainant or the complaint to them. This may include, but is not limited to, a court of law or other tribunal of competent jurisdiction, local authorities or regulatory bodies. Enforcement of any breach of a legal obligation will either be through the mechanism of the organisation to which the complaint has been referred or by the ESFA, whichever is appropriate.

Details of the role of the ESFA are given on the DFE website at:

<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school>

Complaints about Academies should be made in writing to:

**Department for Education Castle
View House
East Lane Runcorn
Cheshire WA7 2GJ**

or by using the Complaints Form available from the DFE website.

Monitoring and Review.

The Governors will monitor the Complaints Procedure regularly, in order to ensure that all complaints are handled correctly. The headteacher will log all complaints received by the school and record how they were resolved. The Governing Body will examine the log on an annual basis.

The Governors will take into account any local or national decisions that affect the complaints process and make any modifications necessary to the policy.

This Policy is made available to all parents and carers in order that they may be properly informed about the Complaints Process.

Governors will review this policy every two years or before if necessary.

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