

SWINDON ACADEMY STAFF POLICIES

Complaints Policy (O12)

Complaints About the Academy Phoned in to Reception

This policy is designed partly as a guide to aid staff on duty as Receptionists. It is acknowledged that Reception duty is a difficult task requiring skill, tact and diplomacy. In many instances, Receptionists will need to 'think on their feet' and this policy is not intended to replace the high level of spontaneous professionalism already in evidence.

We have a duty to respond to complaints promptly, courteously and fairly. As such, it is important that when a caller becomes angry or rude, the member of staff should seek to terminate the call by advising the caller that a member of the SLT will recommence the call. The handset may then be replaced and the relevant member of SLT advised accordingly.

1. If a parent or member of the public phones with a concern or complaint relating to any aspect of Academy activity (homework, disciplinary issue, Academy policy, member of staff etc) the Receptionist should:

- Make a note of the caller's name, brief details relating to any Swindon Academy pupil(s) involved, brief details of the concern and who the caller wishes to speak to.
- If the complaint relates to a member of staff, the Receptionist should attempt to put the call through to a member of the SLT. If no-one is available, a note should be taken of the caller's number and an assurance given to the caller that he/she will be contacted within 24 hours. A note relaying details of the complaint should then immediately be given to the Principal's PA who will ensure it is passed on to the appropriate member of the SLT without delay.
- If the complaint concerns other matters related to a pupil in a particular year group or subject area, the Receptionist should attempt to put the call through to the appropriate HoL. If this is not possible, a note should be taken of the caller's number with an assurance that he/she will be contacted within 24 hours.
- A note relaying details of the complaint should then immediately be placed in HoL's pigeon hole, with a request that contact is made within 24 hours. A note relaying details of the complaint should be immediately placed in HoL's pigeon hole with a request that contact is made within 24 hours.
- The member of staff dealing with the complaint should make an initial rapid response to the caller to ascertain the details of the concern, and respond accordingly. If pupil's are involved, a note relating to the outcome should be placed on the pupil's file. If the complaint relates to a member of staff, the correct procedure must be followed (see internal procedure for complaints).

2. Complaints About the Academy Made in Person at Reception

NB: as with all visitors, no complainant should ever be allowed to go beyond the waiting area unchallenged. If any visitor does so, and refuses to return, a member of SLT should be sent for and the Police (999) phoned immediately.

- If a parent/member of the public comes into Reception to make a complaint, brief details relating to the nature of the complaint should be noted, and the complainant asked to wait in the waiting area.
- If there is concern that the complainant is in an obviously angry/agitated state, a member of SLT should be alerted immediately, and assistance sought as appropriate.
- When dealing face to face with a complainant, members of staff should ensure they use their professional judgement concerning the possible need for a witness and also concerning their own personal safety. If possible, they should ensure they are in a position to summon assistance, if required. However, it must be remembered that the vast majority of complainants communicate their concerns calmly, reasonably and politely.
- If the complainant relates to a member of staff, an attempt should be made to locate a member of SLT.
- If this is not possible, then contact details should be taken and an assurance given that a member of SLT will contact the complainant as soon as is reasonably possible. A note relating to the visit and the complaint should then be handed to the Principal's PA who will ensure it is passed on to the appropriate member of SLT without delay.
- If the complainant is calm and polite, and the complaint relates to a pupil(s) in a particular year/subject, an attempt should be made to locate the appropriate HoL. If she/he cannot be located, then contact details should be taken of the caller's contact number, with an assurance given that they will be contacted within 24 hours.

3. Complaints About the Academy Received by Members of Staff

This policy is designed partly as a guide to aid staff to deal effectively with parents or members of the public. It is acknowledged that dealing with complaints is a difficult task requiring skill, tact and diplomacy. In many instances, staff will need to 'think on their feet', and this policy is not intended to replace the high level of spontaneous professionalism already in evidence.

- When dealing face to face with a complainant, members of staff should ensure that they use their professional judgement concerning the possible need for a witness, and also concerning their own safety. If possible, they should ensure they are in a position to summon assistance if required. However, it must be remembered that the vast majority of complainants communicate their concerns calmly, reasonably and politely.
- We have a duty to respond to complaints promptly, courteously and fairly. If a complainant becomes angry or rude, the member of staff should seek to terminate the interview and suggest that it is recommenced with a member of the SLT present.

- Notes should be taken as a matter of course when members of staff are informed of a complaint.
- If the complaint is such that it requires either investigation by the member of staff, or referral to SLT, the complainant should be read a brief summary of the notes taken to ensure accuracy, should be told to whom it is being referred if that is the case, and should be assured that a proper investigation of their concerns will occur. They should also be assured that someone will contact them as soon as possible.
- If the complaint is such that it needs to be referred then a written summary of the concern should be made to a member of SLT immediately. If the concern is judged to be serious (i.e. an allegation that a member of staff is guilty of striking a child) then the note should be handed to a member of the SLT in person at the soonest opportunity, and certainly in less than an hour of the allegation being made.
- Whoever finally resolves the complaint, it is important that a note is placed on the file of any pupil directly involved.
- If the complaint received was by letter sent to a teacher, this should automatically be referred to a HoL. If a letter is sent in reply and the matter is felt to be contentious, the letter of reply should first be discussed with a member of the SLT.
- If the complaint involves an allegation of possible misconduct by a member of staff, this will be investigated by a member of SLT who will follow the procedures identified. Complaints of this nature will not normally be appropriate for investigation by staff other than SLT.
- It is a fact that the vast majority of concerns are resolved effectively, fairly and to everyone's satisfaction. It is important for everyone concerned that all complaints received by the Academy, by whatever means, are responded to in a professional manner.

Complaints Procedure

General principles of complaints

Dealing With Complaints – Initial Concerns

These procedures deal with complaints but the underlying principle is that concerns should be handled, if at all possible, without the need for formal procedures. The complaints procedure does not in any way undermine efforts to resolve concerns informally.

Dealing With Complaints – Formal Procedures

The formal procedures will need to be invoked when initial attempts to resolve a concern have been unsuccessful and the complainant remains dissatisfied and wishes to take the matter further.

Investigating Complaints

At each stage, the person investigating the complaint must ensure they:

- Establish **what** has happened and **who** has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet the complainant or contact them (if unsure or further information is required)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied, if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview

Resolving Complaints

At each stage in the procedure, schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

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

Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible.

Formal Complaints Procedure

The Stages Of Complaints

Stage 1 – complaint heard by staff member (though not the subject of the complaint)

Stage 2 – complaint heard by Principal

Stage 3 – complaint heard by Governing Body's complaints appeal panel

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 school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

Swindon 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 complainant can be referred to another staff member. Where the complaint concerns the Principal, the complainant can be referred to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complainant will be referred 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 would be to refer the complainant to the appropriate person and advise them about the procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure or 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

The Principal's influence will already have shaped the way complaints are handled in the school. 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 Head 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 Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors, via the school, giving details of the complaint. The Chair, or a nominated governor, will convene a governing body complaints panel.

The governors appeal hearing is the last school-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 governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- Drawing up its procedures
- Hearing individual appeals
- Making recommendations on policies as a result of complaints

The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of the Complaints Appeal Panel

The Complaints 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 school'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:

- 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.
- The aim of the hearing, which needed to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that 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.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible, The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- 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.
- The complainant may wish to bring another person to support them at the hearing.

Roles & Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints should be clerked. The clerk would be the contact point for the complainant and be 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
- Notify all parties of the panel's decision
- Ensure written records are stored in a confidential secure place and that these records show clearly the outcome of any investigation

The Role of the Chair Of The Governing Body Or The Nominated Governor

The nominated governor role should:

- 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 presenting their case without due 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, with the panel's response, findings and recommendations within 48 hours. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

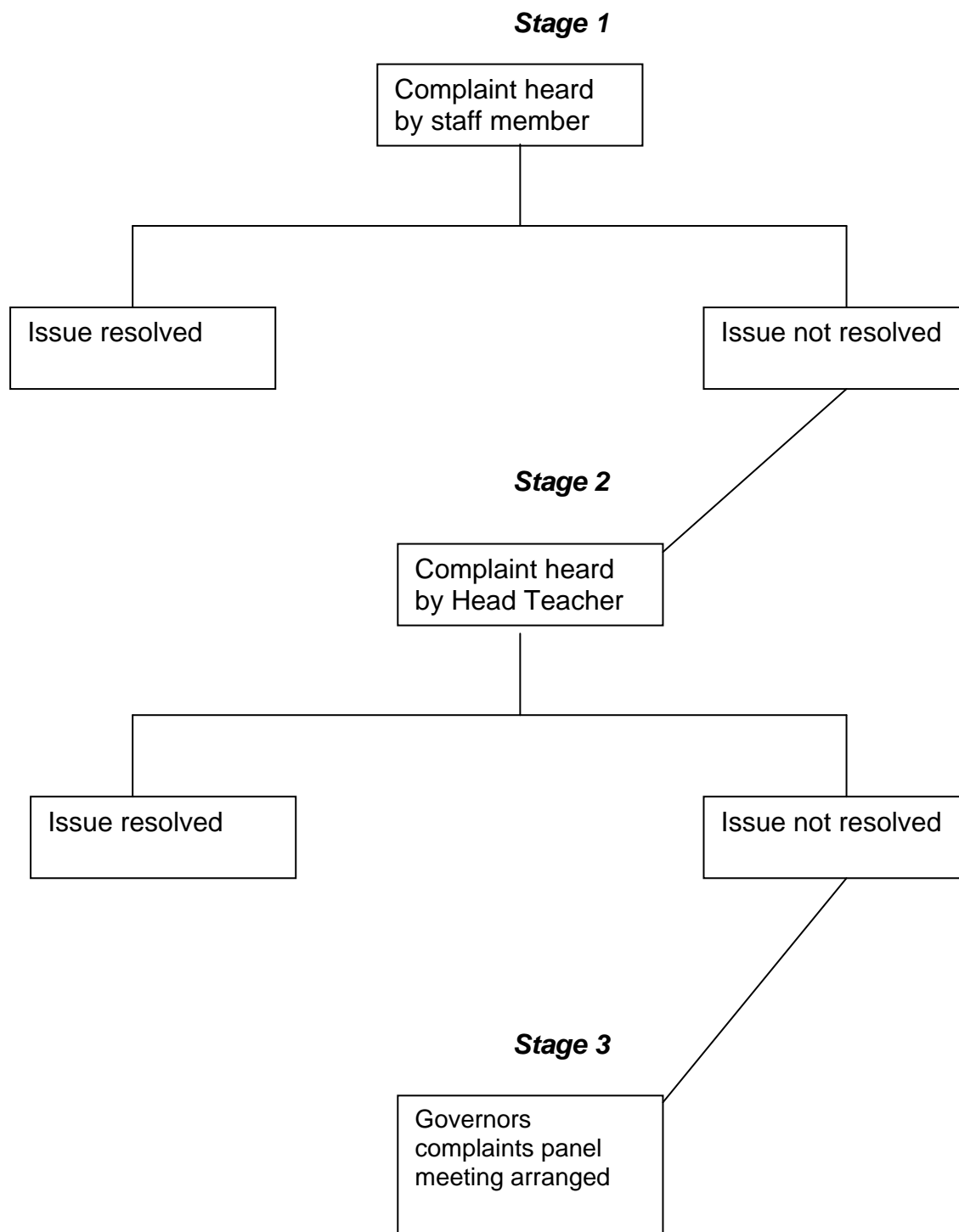
This letter should be circulated to the complainant, the Principal and when relevant, the person complained about.

The panel needs to take the following points into account:

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The Principal may question both the complainant and the witnesses after each has spoken
- The Principal is then invited to explain the school's action and be followed by the school's witnesses
- The complainant may question both the Principal and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Principal is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues
- The chair explains that both parties will hear within a set time scale

School Complaints Procedure Flowchart

Summary Of Dealing With Complaints



Complaint form

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

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Daytime 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?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: