



Complaints Procedure – Information for Parents/Carers

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<i>Ian Mackenzie</i>	29/11/18
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01. Management	SharePoint>Information Sharing>Policies & Guidance>01. Management

Introduction

We believe that our Academy provides a good education for all our children. The Headteacher and staff work very hard to build positive relationships with parents/carers so that all children can play and learn happily here. However, sometimes problems do occur and that is why we have procedures in place to consider complaints by parents/carers. The following document sets out the procedure that we follow in such cases and has been approved by the governing body.

I have a concern or complaint; what do I do?

Informal Stage

Firstly, contact your child's class teacher or subject teacher and let them know as soon as possible that you have a concern or a complaint. This gives us the opportunity to investigate the matter quickly and hopefully get things sorted out.

Most concerns or complaints can be sorted out quickly in this informal way. Please, do not leave it too long to report your concern because it can be difficult to investigate something that happened some time ago. If you wish, you can provide a short written statement of your concern or complaint. This can help to avoid any misunderstanding and provides a written record of your concern or complaint. We will do everything possible to address your concerns at this stage.

If I do not feel that the issue has been resolved; what next?

Formal Complaint – stage one

To begin this process you must write to the Headteacher explaining clearly and briefly what your concern is and how you think it should be resolved. You may use the form provided at the end of this document to help with this.

The Headteacher will send you an acknowledgement letter within 5 working days of receiving your written complaint and will confirm details of the complaint to be investigated and who will be investigating

In certain circumstances it may be appropriate for you to meet with the Headteacher or other staff to discuss your complaint. If this is the case; you will be able to take a friend or an adviser with you to the meeting but if you do you must tell the Headteacher in advance that you will be accompanied. The Headteacher may also wish to be accompanied at the meeting depending on the nature of your concern.

The Headteacher will then write to you within 20 working days of receipt of the complaint and advise you of the outcome of the investigations in writing.

If your complaint is regarding the Headteacher then please go to Stage 2

What if I am not satisfied with the outcome of the investigation? Or my complaint is about the Headteacher?

Formal Complaint – stage two

If you are not satisfied with the outcome of the first stage of the investigation or the complaint is against the Headteacher you can move to the second stage of the formal process.

You will need to write to the Chair of the Governing Body and explain your complaint and (if the Headteacher has previously considered the complaint why you are dissatisfied with the response and) what outcome you hope to achieve. The Chair (or a governor or governors delegated by The Chair) will send an acknowledgement within 5 working days of receiving your request. The Chair or designated governor will then investigate your complaint. This may include meeting with you. You may be accompanied at any meeting by a friend or adviser but you must tell the Chair in advance that you will be accompanied. The Chair (or the investigator(s)) will then write to you with the outcome of their investigations.

The Chair or designated governor will write to you within 20 working days of receipt of the complaint and advise you of the outcome of the investigations.

If I am still not satisfied; is there anything else that I can do?

Complaints Appeal Panel – stage three

You can write to the Clerk to the Governing Body at the school and ask that your complaint be considered by the Complaints Appeals Panel of the Governing Body. The Clerk will acknowledge your request within 5 working days of receiving the request. The Clerk will set up a panel hearing within 20 working days.

The Panel will not include any governor who was involved in the prior investigation of the complaint or who has prior knowledge of the complaint. The Clerk to the Governing Body will arrange a hearing by the Panel and you will be invited to attend the hearing (with a friend or adviser) to explain your complaint.

The Clerk will write to you and make sure that you are kept fully informed and guide you through the procedure.

At least 7 working days prior to the meeting the clerk will:

- notify all parties of the date, time and place of the hearing;
- provide all parties with a copy of any written representations submitted;
- provide all parties with details of the format of the hearing;
- ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc;
- confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.

Within 5 working days following the hearing the clerk shall:

- inform all the parties concerned in writing of the decision(s) of the Panel;

If I am still not satisfied; what next?

If you are not satisfied with the outcome of our complaints procedure, you can refer your complaint to the Education & Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by us. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the Academy did not comply with its own complaints procedure
- Whether the Academy was in breach of its funding agreement with the secretary of state
- Whether the Academy has failed to comply with any other legal obligation

If the Academy did not deal with the complaint properly, it would be asked to re-investigate the complaint. If the Academy's complaints procedure is found to not meet regulations, the Academy would be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Or write to: Ministerial & Public Communications Division
Department for Education
Piccadilly Gate
Store St
Manchester
M1 2WD

If your complaint is about fundraising by the Academy, and remains unresolved, you may contact The Fundraising Regulator who will consider the conduct of the school in relation to The Code of Fundraising Practice. This code outlines the legal requirements and best practice expected of all charitable fundraising organisations across the UK.

They would investigate allegations of:

- misleading or excessive donation requests
- disrespectful or unfair treatment of donors
- a lack of transparency
- failure to respect donor's wishes e.g. if a donor had asked to be contacted only in a certain way
- failure to deal with a complaint appropriately

Where a breach of The Code of Fundraising Practice is identified the Fundraising Regulator may make recommendations for improvement to the school. Where necessary details a copy of their final decision will be shared with the Charity Commission or HM Revenue & Customs.

For more information see: <https://www.fundraisingregulator.org.uk>

What if my complaint is about the fulfilment of early years requirements?

We will investigate all written complaints relating to the Academy's fulfilment of the Early Years Foundation Stage requirements, and notify you of the outcome within 20 days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

Parents 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>.

We will notify the parents/carers of pupils in these year groups following any such referral if we become aware an inspection by Ofsted has been triggered. We will also supply a copy of any inspection report to the parents/carers of these children.

Unreasonable Complainants

The Woodlands Academy is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the Academy. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The Woodlands Academy defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;

- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email or by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from The Woodlands Academy.

THE WOODLANDS ACADEMY

You may use this form to share your complaint with us if you wish or you may prefer to write a letter covering all the points on this form. Please continue your answers on a separate sheet if there is not enough space on this form. Do remember that you will need to tell us what needs to happen to resolve your complaint.

When you have filled in the form, send it to The Head teacher or (if the complaint is about the Headteacher) the Chair of the Governing Body at **The Woodlands Academy, Woodlands drive, Scarborough, N Yorks, YO12 6QN.**

If you need any help completing this form please contact the Academy.

We will only process your personal data in order to respond to your complaints. In general it will be used for administrative and statistical purposes.

Your name

Mr Ms Mrs Miss Other

First name (BLOCK CAPITALS)

Surname (BLOCK CAPITALS)

Your address

Postcode

Daytime tel. no.

Mobile tel. no.

Email address

Do you have any special requirements, for example if English is not your first language, disabilities?

Have you contacted the school about this matter before? Yes No

If yes, who did you contact, when and how?

Have you received a reply? Yes No

If so, when was this?

Please explain your complaint.

What action, if any, have you already taken to try to 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?

Please use additional sheets if required.

If you have any documents to support your complaint, please send them with this form. Please tick the box if you would like them returned to you.

We will send an acknowledgement within 5 working days of receiving your communication and will tell you what is happening. If a further response is required, this should reach you within 20 working days.

FOR OFFICE USE ONLY

Complaint reference

Date Received

Acknowledgement sent

Substantive reply sent