



# COMPLAINTS POLICY

## Complaints Policy

This Policy and Procedure is based on guidance for dealing with school complaints issued by the Department for Education in 2015.

### Complaints Policy and Procedure

#### 1. Introduction

- 1.1. Academies are required to have complaints procedures meeting certain requirements by the Education (Independent School Standards) (England) Regulations 2014 and to make the procedure available to parents of students and parents of prospective students.
- 1.2. The school accepts that the actions of those individuals who work in the school will and should be open to comment, question and, on occasions, criticism. Torquay Academy takes complaints seriously and strives to deal with complaints swiftly and thoroughly. In a spirit of accountability Torquay Academy will attempt to resolve general school complaints through the most appropriate process and, where necessary, this may involve formal procedures.
- 1.3. This general school complaints policy does not cover every type of complaint. The issues noted below have their own, separate procedures.
  - Content of a statutory statement of Special Educational Needs
  - Student exclusions
  - The National Curriculum and related matters, including Religious Education
  - Child Protection
  - Allegations Management (safeguarding concerns about staff that need to be referred to the LADO – Local Authority Designated Officer).
  - Matters that are the responsibility of the Local Authority such as student admissions and home to school transport.

#### 2. Aims

- 2.1. This Policy and the procedures for its implementation aim to clarify the way in which complaints are managed at Torquay Academy. It aims to do so in a way which is clear and concise. The Policy also seeks to promote a consistent and transparent approach to dealing with complaints.

#### 3. Principles

3.1 This Policy is underpinned by the principles noted below:

- Complaints will be considered and resolved as quickly and as efficiently as possible.
- Complaints will be dealt with by the member of staff best suited to deal with the matter.
- If the complaint is about an individual member of staff they have a right to know the substance and source of any allegation made against them.
- Complaints will be dealt with in line with any relevant national legislation and statutory obligations.
- Complaints will be dealt with having due regard for confidentiality and the security of any records made (see Confidentiality and Information Sharing Policy – Data Protection).

#### 4. Implementation

- 4.1. Torquay Academy has a three stage process for dealing with complaints. Further details of each stage together with roles and responsibilities of staff involved can be found within this document. The three stages are:
  - Stage 1 – complaint heard by a member of staff (informal)
  - Stage 2 – complaint heard by the Principal (complaint which is put in writing)
  - Stage 3 – complaint heard by the Governing Body complaint appeal panel
- 4.2. Torquay Academy aims to resolve a complaint at the earliest possible opportunity via informal resolution by way of a discussion with the appropriate member of staff.
- 4.3. If the Complainant thinks that their complaint has not been resolved then they can take their complaint to Stage 2. Complaints should be submitted in writing within 10 school days of the informal meeting. During this stage the Principal will deal with the complaint. The Principal will respond to the complaint in writing via a letter or an email within 10 school days.
- 4.4. If the Complainant is still not satisfied they should write to the Chair of Governors giving full details of the complaint and the reason why they remain dissatisfied with previous attempts to resolve the complaint. The request must be received within 10 school days of the date the letter was received from the Principal.
- 4.5. The Chair, or a nominated governor, will convene a Governing Body Complaints Panel within 15 school days of the receipt of the letter.
- 4.6. One of the governors will be appointed as the Chair of the Complaints Panel. This will not necessarily be the Chair of Governors.
- 4.7. Torquay Academy's Clerk to the Governors will invite the Complainant to attend the Complaints Panel. The Complainant will be informed of the time, date and venue for the hearing. The clerk will collate and distribute any relevant information.
- 4.8. The Complaints Panel will include at least one member who is independent of the management and running of the Academy, and will not be made up solely of governing body / trust members. The Chair will appoint a suitably independent individual to fulfil the role.
- 4.9. The Chair will ensure that the Complainant is informed of the Panel's decision, in writing, within 10 school days of the Panel hearing.
- 4.10. The Panel hearing will be held in private and the School aims to resolve the complaint, achieve reconciliation between the school and the Complainant. All concerns are taken very seriously.
- 4.11. The Complaints Panel will aim to reach an outcome in respect of the complaint (i.e. upheld, partially upheld, not upheld, unable to substantiate). The Panel will also decide and agree on any appropriate action to be taken as a result of the complaint and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.
- 4.12. Any disciplinary outcome of any investigation into the conduct of a member of staff at Torquay Academy is a confidential matter between the member of staff and the Senior Management /Governors of the school and will not be disclosed to the complainant.
- 4.13. The implementation and adherence to this complaints procedure should reduce the number of complaints that become protracted or vexatious. If a complainant tries to reopen the same issue the Chair of the Governing Body will write to the complainant explaining that the complaint has been through all stages of the procedure, is now exhausted and the matter is now closed.
- 4.14. The response to any anonymous complaints (verbal or written) will be coordinated by the Principal or the Principal's PA.
- 4.15. The School will keep written records of all complaints and their outcomes.
- 4.16. Torquay Academy Complaints Procedure is published on our school website and is available from the Main School Office on request.

## **5. Monitoring & Evaluation**

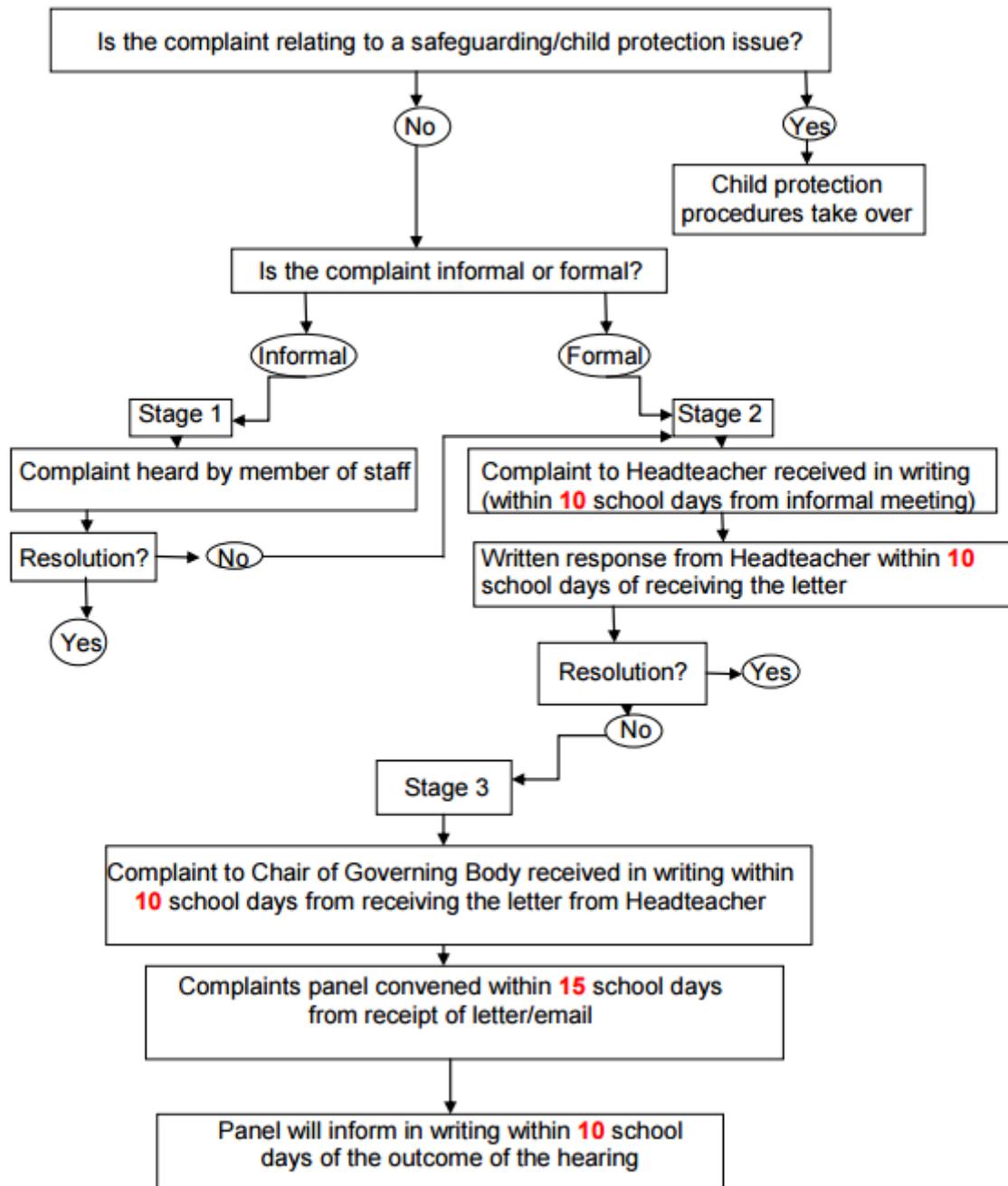
5.1. This Policy will be reviewed in accordance with the annual cycle of whole school improvement planning. This review will be led by the Principal. Monitoring of the impact of this Policy will be linked to the established processes of self-evaluation. Any changes to Policy will be made in consultation with Governors. The Principal will keep records of all complaints that pass beyond Stage 1 and are dealt with by the Principal. Such records will be shared with the Trustees/Governors as appropriate.

## **6. Other Information**

Torquay Academy will:

- deal with complaints from people who are not parents of attending students in the same way by utilising the process outlined above.
- ensure the complainant is given reasonable notice of the panel hearing date, if the complaint does proceed to the Complaints Panel stage.
- consider if staff likely to be involved in handling a complaint are suitably equipped to do so.
- provide complainants with written responses where appropriate and if requested.
- not tolerate abusive language or behaviour at any time, and reserve the right to postpone the process should it feel that the welfare of staff, students and / or governors is at significant risk.

## 7. Process





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

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

**Signature:**

**Date:**

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**Official use**

Date acknowledgement sent:

By who:

Complaint referred to:

Date: