



PARK VIEW

EDUCATIONAL TRUST

Complaints Policy & Procedure

This policy will be used by all Academies within Park View Educational Trust to address complaints made by pupils, the parents, guardians or carers of pupils and prospective pupils of an Academy within Park View Educational Trust, as well as a members of the public who are not a parent, guardian or a carer of a pupil attending an Academy of Park View Educational Trust.

Overview

The aim of this policy and procedure is to resolve a complaint in a fair and equitable manner. All complaints will be dealt with in a sensitive, impartial and confidential manner.

Principles

This policy and procedure is available to pupils, the parents, guardians or carers of pupils and prospective pupils of an Academy within Park View Educational Trust. While pupils may, themselves, raise concerns and complaints under this policy and procedure, the Academy will involve the appropriate parents, guardian or carer should this occur.

Any concern or complaint should be brought to the attention of the relevant Academy at the earliest opportunity. Any matter raised three months after the event will only be considered in exceptional circumstances.

A concern or complaint from a member of the public who is not a parent, guardian or a carer of a pupil attending an Academy of Park View Educational Trust should be referred directly to the Principal, unless the complaint is about the Principal in which case it should be referred to either the Chair of Governors or Chair of the Board of Directors.

An anonymous complaint cannot be dealt with unless there are exceptional circumstances.

Any concern or complaint will be dealt with in a way that:

- respects confidentiality
- addresses all the points at issue
- provides an effective response, and, where necessary,
- appropriate redress

A copy of our complaints policy and procedure can be accessed from the Park View Educational Trust its individual Academy websites.

COMPLAINTS POLICY AND PROCEDURE

This policy and procedure will be relied upon in respect of **all complaints** made against a Park View Educational Trust Academy except in respect of;

(a) **Child protection allegations** where a separate policy and procedure applies; and

(b) **Exclusions** where a separate policy and procedure applies;

(c) **Appeals relating to internal assessment decisions for external qualifications** where a separate appeals procedure applies.

(d) **Complaints made by members of staff**, which should usually be dealt with through appropriate separate procedures such as the grievance policy.

Park View Educational Trust aims to resolve most complaints informally. If informal procedures fail to resolve the issue, a formal complaint about any matter, excluding the aforementioned, must be made in writing to the Principal and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response. Please refer to the following procedure for the specific timescales.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them.

COMPLAINTS PROCEDURE

Our Complaints Policy and Procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Have established time-limits for action and keeping people informed of progress
- Ensure a full and fair investigation by an independent person where necessary
- Address all the points at issue and provide an effective response and appropriate redress, where necessary
- Provide information to the appropriate Academy's senior leadership team so that services can be improved.

STAGE ONE - INFORMAL RESOLUTION

Our aim is to resolve most complaints informally.

- If a pupil, parent, guardian or carer has a complaint they should in the first instance make their complaint verbally to the Pastoral Manager or in the absence of a Pastoral Manager to the Principal who will delegate to an appropriate designated officer.
- Any complaints raised must be made within three months of the incident taking place. Only in exceptional circumstances will a matter raised three months after the event be considered.
- Park View Educational Trust will endeavour to resolve any informal complaints within ten Academy days of being raised. Should there be a delay in resolving the complaint the complainant will be notified.
- Once an appropriate resolution has been identified the complainant will be verbally notified of the outcome. Should the complainant be dissatisfied with the outcome they will be advised to

proceed with their complaint in accordance with Stage Two of the complaints policy and procedure.

STAGE TWO - FORMAL RESOLUTION

- If the complaint cannot be resolved on an informal basis, then the complainant should put their complaint in writing to the Principal (please complete the attached form) within ten Academy days of receiving the outcome from Stage One.
- The complaint form must clearly state the reason for the complaint, actions taken to date and what the complainant may feel is an appropriate resolution.
- The Principal will delegate responsibility for undertaking investigation of the complaint to an appropriate designated officer if required.
- The Principal or appropriate will endeavour to resolve formal complaint within ten Academy days of being raised. Should there be a delay in resolving the complaint the complainant will be notified.
- Once an appropriate resolution has been identified the complainant will be verbally notified. An outcome letter will be sent to the complainant within 10 Academy days of the verbal notification. Should the complainant be dissatisfied with the outcome they will be advised to proceed with their complaint in accordance with Stage Three of the complaints procedure.
- The Academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, including the Academy's decision. These records will be held for one year or where the complaint relates to a pupil of the Academy for one year after the pupil leaves the Academy. The record will state if the complaint was resolved at Stage Two or if they were taken to Stage Three.

STAGE THREE – PANEL HEARING

- If the complaint cannot be resolved at Stage Two, then the complainant should put their complaint in writing to the Complaints Panel (please complete the attached form) within ten Academy days of receiving the outcome from Stage Two.
- The complaint form must clearly state the reason for the complaint, actions taken to date and what the complainant may feel is an appropriate resolution.
- The matter will be dealt with by a Complaints Panel comprising of at least three people who have not directly been involved in the matter detailed in the complaint. One member of the panel must also be independent of the management and running of the Academy.
- The Complaints Panel is only obliged to consider the complaint(s) lodged in the initial submission, although the Complaints Panel may use their discretion to consider other relevant and related matters that may subsequently arise.
- Where an appeal is received by the Academy, the Academy will, within five Academy days, refer the matter to the Clerk to the Board of Governors.
- Once an appeal has been received by the Clerk, will acknowledge the appeal in writing within five working days, and inform the complainant of the steps involved in the Complaints Procedure.
- The Clerk will then endeavour to convene a Complaints Panel hearing as soon as possible to consider the matter, normally within twenty Academy days after receipt of the stage three complaint.

- Evidence to be considered during the hearing will be initially sent to the Clerk, who will circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five working days in advance of the stage three hearing.
- The complainant reserves the right to send a representative in their absence, should they wish not to attend (please note Legal representation will not normally be appropriate). It is good practice for the complainant to inform the Academy of their intention not to attend.
- Once an appropriate resolution has been identified the complainant will be verbally notified. An outcome letter will be sent to the complainant within 10 Academy days of the verbal notification. The complainant must be notified that the internal procedures have now been exhausted and that there is no further internal right of appeal.
- The complainant will be advised that if they remain dissatisfied after exhausting the process as set out within this Complaints Policy and Procedure, they write to the Department of Education stating their complaint:

Either by completing the online school complaints form at:

www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form

Or by post to:

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

- The Academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, including the Academy's decision. These records will be held for one year or where the complaint relates to a pupil of the Academy for one year after the pupil leaves the Academy.

Procedure – Stage Three Hearing

Park View Educational Trust will delegate responsibilities to appropriate persons to carry out the following functions.

- The Chair of the Hearing will introduce all present and will seek confirmation from all parties that they understand that the status of the hearing is in accordance with the Complaints Policy and Procedure.
- The Chair of the Hearing will confirm all parties have been provided with copies of the any documentation provided in evidence **.
- Each party may request adjournments during the hearing. No reasonable request for an adjournment will be refused.
- The complainant will have the right to be accompanied if they wish or have the right to be represented in their absence (please note Legal representation will not normally be appropriate).
- The complainant/representative will first put their case for the complaint in the presence of the Academy representative and may call any witnesses* and present documentation where applicable**.
- The Academy's representative shall then have the opportunity to ask questions of the complainant/representative and witnesses* called.
- The Complaints Panel shall then have the opportunity to ask questions of the complainant/representative and their witnesses*.
- The Academy representative shall put their case in the presence of the complainant/representative and their representative any may call any witnesses* and present documentation where applicable**.
- The complainant/representative shall then have the opportunity to ask questions of the Academy representative and their witnesses*.
- The Complaints Panel shall have the opportunity to ask questions of the Academy representative and their witnesses*.
- The complainant/representative may sum up their case.
- The Academy representative may sum up their case.
- The complainant/representative and the Academy representative will withdraw.

- The Chair of the Complaints Panel and any adviser(s) to the panel will deliberate in private, only recalling the complainant/representative and the Academy's representative to clear points of uncertainty on evidence already given. If a recall is necessary, it is essential that both parties return, even if only one is required to assist with the point giving rise to doubt.
- The Complaints Panel will determine, on the basis of the cases made and evidence presented what action should be taken.
- The Chair of the Complaints Panel will inform both parties verbally of the decision, which will be confirmed in writing within ten Academy days. The complainant/representative must be notified that the internal procedures have now been exhausted and that there is no further internal right of appeal.
- The Chair of the Complaints Panel must inform the complainant/representative that if they remain dissatisfied after exhausting the process as set out within this Complaints Policy and Procedure, they can write to the Department of Education stating their complaint:

Either by completing the online school complaints form at:

www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form

Or by post to:

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

* Any witnesses called will normally leave the proceedings after giving evidence and being questioned but should remain available in case further clarification is required. A witness who leaves the proceeding after completing his/her evidence should not discuss the case with any witnesses waiting to be called.

** In exceptional circumstances the Committee may allow adjournments of reasonable length to study any documents presented but not issued prior to the Hearing. The panel may at any time call an adjournment at its discretion. Any periods of adjournment should not be unreasonably extended.

Version	Date ratified	Review date	Author
1.0	January 2013	Annually	Park View Educational Trust



Park View Educational Trust Complaints Form

Please complete and return to the Pastoral Manager or in their absence to the Principal

Name of Academy complaint being submitted to: _____

Please indicate whether your complaint is being made at (*please tick as appropriate*):

Stage Two

Stage Three

Your details:

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time 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:

Print Name:

Date:

Official use

Date complaint received:

Date acknowledgement of complaint sent:

By who:

Complaint referred to:

Date Complaint Referred: