

Woodlands Academy

Complaints Procedure

Together we Achieve



Woodlands Academy

Prepared by: Nathan Walters (Executive Headteacher) on behalf of GU MAT

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Statutory Policy

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Aims of our Complaints Policy

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective response within a reasonable timeframe
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Where appropriate, consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Woodlands Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Woodlands Academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views and the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will

refer the complaint to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Woodlands Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

We operate a 3 stage process and complaints should be raised informally in the first instance with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual Governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance to **the Headteacher** via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to **the Chair of Governors**, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual Governor or the whole Governing Body should be addressed **to the Clerk to the Governing Body** via the school office. Please mark them as Private and Confidential. They will be referred as shown below.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Arrangements for handling complaints from parents of **SEND** pupils regarding the support the school provides can be found in the Special Educational Needs and Disability (SEND) Policy.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. However, if the complainant meets the above criteria and continues to contact the school in a disruptive way, we may put communication strategies in place e.g.

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term

- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

- We may stop responding to the complainant when all of these factors are met:
- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience
- Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Woodlands Academy, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School reorganisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with Ealing Council</p>
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO: Ms Natalie Cernuda 020 8825 8930 MASH: 020 8 825 8000</p>

<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline- exclusions/exclusions. A copy of the school's behaviour procedure is available on the school website, or by request from the school office.</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if initial investigations deem this appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Woodlands Academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Woodlands Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again, and an indication of the timescales within which any changes will be made
- An undertaking to review school policies in light of the complaint
- An apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Our School Based Stages:

Stage 1 (INFORMAL): Complaint heard by staff member (though not the subject of the complaint), normally the Line Manager.

Stage 2 (FORMAL): If you are dissatisfied with Stage 1 then the complaint should be forwarded to the Headteacher as detailed below.

Stage 3 (FORMAL): Complaint heard by the Executive Headteacher as detailed below.

Stage 4 (FORMAL): Complaint heard by Governing Body's Complaints Committee as detailed below.

Stage 1 Informal

We will try and resolve complaints informally wherever possible. An informal complaint can be made to a class teacher, the Early Years Lead, and a member of the Senior Leadership Team or the Headteacher.

We aim to acknowledge all complaints within **3** school days and the complaint should be resolved within **10** school days. However, if the concern is not met to the complainant's satisfaction by discussion, or if the complainant is not prepared to go through an informal procedure, then, if the complainant wishes to take the matter further, they are requested to complete the complaints form (appendix 1) and return it to the school within five school days. The Headteacher is informed and stage 2 is implemented.

Stage 2 Formal

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's Senior Leadership Team (Investigator) but will not delegate the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within **15** school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Woodlands Academy will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), a suitably skilled person will be appointed to complete all the actions at Stage 1. Complaints about the Headteacher or member of the Governing Body must be made to the Clerk of the Governing Body, via the school office. Complaints against the Headteacher will be investigated by a suitably skilled member of the Governing Body, normally the Chair of Governors.

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Body or
- The majority of the Governing Body

In the above circumstances, Stage 2 will be considered by a Trustee or an independent investigator appointed by the Grand Union Multi Academy Trust. This decision will be made by **the Chair of the Grand Union Multi Academy Trust**.

At the conclusion of their investigation, the Chair of the Trust or independent investigator will provide a formal written response.

Stage 3 Formal

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with the Executive Headteacher.

A request to escalate to Stage 3 must be made to the Executive Headteacher (EHT), via the school office, within **5** school days of receipt of the Stage 2 response.

The EHT will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The EHT will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **15** school days of receipt of the Stage 2 request. If this is not possible, the EHT will provide an anticipated date and keep the complainant informed.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The EHT will consider the complaint and all the evidence presented. The EHT can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the EHT will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The EHT will provide the complainant and Woodlands Academy with a full explanation of their decision and the reason(s) for it, in writing, within ten school days.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Stage 4 Formal

If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 4 – a meeting with members of the Governing Body's Complaints Committee. This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Clerk of Governing Body, via the school office, within **5** school days of receipt of the Stage 3 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **15** school days of receipt of the Stage 4 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Complaints Committee will consist of at least three members, two Governors with no prior involvement or knowledge of the complaint and a member independent of the management of the school. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than two Governors from Woodlands Academy available, the Clerk will source any additional, independent Governors from the GU MAT Board of Directors, or another local school or through their LA's Governor Services Team, in order to make up the Committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 4.

The Committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the Committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least **5** school days before the date of the meeting. The Committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The Committee can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Committee will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Woodlands Academy with a full explanation of their decision and the reason(s) for it, in writing, within ten school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Woodlands Academy.

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Body or
- The majority of the Governing Body

In the above circumstances, Stage 4 will be heard by a committee of Trustees or independent Governors. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Woodlands Academy will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If complainants wish to take the complaint further, they must complete the form available at: https://form.education.gov.uk/ffillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmouldule%2Fservices &noLoginPrompt=1 and the complaint will be directed to the Education and Skills Funding Agency who will not overturn the decision about the complaint but will check whether:

- There has been undue delay in the proceedings.
- The procedures in the school's policy and other relevant policies were followed correctly.
- The school has complied with its funding agreement with the Education Secretary.
- The policy meets all legal requirements.

Complaints to the ESFA may also be sent to:

Ministerial and public communications division ESFA
2nd Floor, Piccadilly Gate Store Street
Manchester M1 2WD

Telephone helpline: 0370 000 2288.

Complaint Form

Please complete and return to **the Headteacher**, who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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:

Roles and Responsibilities Complainant

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Cooperate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings, or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:

- Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- Interviewing staff and children/young people and other people relevant to the complaint
- Consideration of records and other relevant information
- Analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the Headteacher or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The Complaints Co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, Headteacher, Chair of Governors, Clerk and Ias (if appropriate) to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
 - Sharing third party information
 - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the Committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the committee is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The Committee is open-minded and acts independently
- No member of the Committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the Clerk (and Complaints Coordinator, if the school has one).

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so.
- No Governor may sit on the Committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The Committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the Committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.