



**Sheffield Springs Academy**

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# Complaints Policy 2018/ 2019



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# KEY REQUIREMENTS

## Sheffield Springs Academy

- must publish a complaints procedure for parents and prospective parents
- must adhere to the principles set out in this policy
- must designate a member of staff to be their Complaints Co-ordinator. This is Mrs Andrea Garnett, Business Services Director
- must keep a record of the progress of each complaint and the final outcome, recording and monitoring the number of complaints registered under the formal procedure each school year.

### 1. Recommendations and Guidance

- Take all concerns and complaints seriously.
- Make every effort to deal with complaints informally and at an early stage in a spirit of partnership. The aim should be to identify areas of agreement between the parties. It is also equally important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
- Apologise wherever necessary. An admission that the Academy could have handled the situation better is not the same as an admission of negligence.
- Deal with complaints in an impartial and non-adversarial manner. As far as possible deal with complaints in such a way as to resolve the issue, maintaining the best interests of the student or students involved (where that is applicable).
- Publish a complaints procedure which is easily accessible and simple to understand and use.
- Ensure a full and fair investigation is undertaken; normally by a person who has not been directly involved in the matter.
- Respect people's desire for confidentiality.
- All staff have a responsibility to ensure that complaints are dealt with under the terms of this policy. To that end, staff should be made aware of the procedures so that they know what to do if they receive a complaint.
- As part of their role, the Complaints Co-ordinator should be required to prepare an annual report for the LGB.
- The Executive Principal has overall responsibility for the management of complaints and together with the LGB, responsibility for the publication and implementation of the formal complaints procedure.

### 2. Implementation and Procedures

- At each stage of the procedure it is helpful to clarify exactly who will be involved, what will happen and how long it will take. There may, on occasion, be the need for some flexibility in the application of the procedure; for example, the possibility of further meetings between the complainant and member of staff directly involved, and further investigations may be required by the Head of School, after a meeting with the complainant.

- Sheffield Springs Academy must nominate a member of staff to have responsibility for the operation and management of the complaints procedure. This person is referred to as the 'Complaints Co-ordinator'.

The complaints procedure must:

- Explain how a concern or a complaint can be made and to whom;
- Set out the importance of being able to deal with concerns at an early stage and using informal processes; set out clearly the stages to be used in dealing with a complaint and the way the complaint will be investigated and recorded;
- Set out clear timetables for the management of the complaint.

The formal complaints procedure should have three stages:

**Stage one:** complaint heard by a senior member (though not the subject of the complaint);

**Stage two:** complaint heard by the Executive Principal

**Stage three:** complaint heard by LGB's Complaints Appeal Panel

The procedure should also specify how a complaint will be dealt with if it concerns the conduct of the Executive Principal or a Governor, or where these have been involved in the issue previously.

For each complaint being dealt with under the formal complaints procedure, a person should be appointed to investigate the complaint; this would normally be the Complaints Co-ordinator.

In carrying out an investigation, it is recommended that the Complaints Co-ordinator should:

- Establish what has happened so far and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or against whom the complaint has been made, 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.

At each stage in the procedure Sheffield Springs Academy 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 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 should not recur;
- An explanation of the steps that have been taken to ensure that it should not happen again;
- An undertaking to review policies in light of the complaint.

Complaints need to be considered and resolved as quickly and efficiently as possible. The formal complaints procedure must set realistic time limits for each action within each stage. However; where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

There is a legal requirement for the formal complaints procedure to be publicised. The way in which this is done can be determined by Sheffield Springs Academy, but the following are suggested:

- the information given to new parents when their children join the academy;
- on the Academy website;
- any Home- Academy agreement;
- documents supplied to community users including course information or letting agreements;
- a specific complaints leaflet which includes a form on which a complaint can be made;
- posters displayed in areas of the academy that will be used by the public, such as Reception or the Main Entrance;

### **3. Recording and Record Keeping**

- A complaint may be made in person, by telephone or in writing and details of each should be noted carefully. An example of a complaint form can be found at Appendix 3.
- The Complaints Co-ordinator is responsible for maintaining all records and holding them centrally.
- The Complaints Co-ordinator should prepare a brief annual report for the LGB stating the number of complaints received, their nature and outcome.
- Records should be archived for 1 year and for longer in exceptional circumstances.

### **4. Appeals**

- The appeals process is stage 3 of the formal complaints procedure. The decision of the Appeals Panel is final.
- There may be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the LGB Chair should inform him/her in writing that the procedure has been exhausted and that the matter is now closed.
- The complaints procedure cannot be used to replace, or in addition to, other appeals processes where those exist.

### **5. Dealing with Complaints and School Improvement**

The process of listening to and resolving complaints should contribute to Academy improvement. When individual complaints are heard, Sheffield Springs Academy may identify underlying issues that need to be addressed. The monitoring and review of complaints by the senior team and LGB can be a useful tool in evaluating Academy performance.

## **Appendix 1: Sheffield Springs Academy Complaints Procedure**

### **Informal Resolution**

It is recognised that parents will, from time to time, have normal and legitimate concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with Sheffield Springs Academy. Almost invariably, the sooner such concerns are raised the easier it is for an appropriate resolution to be found.

A concern or complaint may be raised with any member of staff. In Sheffield Springs Academy this would normally be your child's Form Tutor. That person will try and resolve the matter or will refer you to the appropriate person. The member of staff will make a written record of all concerns and complaints and the date on which they were received.

If the matter cannot be resolved within 3 school days or in the event that you are not satisfied, you will be advised to proceed to make a formal complaint to the Complaints Co-ordinator. If the complaint concerns the Head of School or Executive Principal, the Complaints Coordinator would normally refer you to the Chair of the LGB.

### **Stage One: Complaint Heard by Staff Member**

If you need to make a formal complaint it should be in writing and sent to the Complaints Coordinator. If you have difficulty in putting your complaint in writing, you are asked to make an appointment with the Complaints Co-ordinator who will help you do that. Details of the Complaints Co-ordinator can be obtained from the Main Reception.

The Complaints Co-ordinator will decide the best person to hear the complaint. It would be helpful if you could indicate if there is someone with whom you might have difficulty discussing the complaint so that your views can be respected. Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, the Complaints Co-ordinator may consider referring you to another staff member. The member of staff may be more senior but does not have to be.

In most instances, there will need to be an investigation in order to understand the circumstances surrounding the complaint. That investigation will normally be undertaken by the Complaints Coordinator. If the matter cannot be resolved within 5 school days following receipt of the written complaint or in the event that you are not satisfied, you will be advised to take your complaint to the second stage of this procedure.

The Complaints Co-ordinator will make a written record of the complaint, the date on which it was received, the date on which the matter was dealt with and the outcome of the procedure. .

### **Stage Two: Complaint Heard by the Executive Principal**

If you are not satisfied with the outcome of stage one, if you feel that your complaint is sufficiently serious, or if you are dissatisfied with the way in which your complaint has been handled, you may take your complaint to the second stage of this procedure.

You should put your complaint in writing to the Executive Principal. Again, if you have difficulty in doing that, you are asked to seek assistance from the Complaints Co-ordinator. The Executive Principal may delegate the task of collating the information to another staff member but not the decision or the action to be taken.

The Executive Principal will decide whether it would be helpful to meet with you to discuss your complaint. The decision in respect of this complaint will normally be made within 5 school days of the Executive Principal receiving the complaint. If the Executive Principal feels that it is necessary, within reason, to ask for additional time, you will be informed.

## Appendix 2: Sheffield Springs Academy Appeals Procedure

- The third stage of the formal complaints procedure is the LGB's Appeals Panel.
- The appeals procedure is invoked when a complainant is not satisfied with the outcome of the second stage of the procedure or with the handling of a complaint by the Executive Principal.
- The complainant is required to put their complaint in writing to the Chairman or to the Complaints Co-ordinator marked for the Chair. It is important that the complainant should set the matter out in sufficient detail.
- On receiving a written complaint under the appeals procedure, a hearing by an Appeals Panel will be arranged within 10 working days.
- The complainant may attend the hearing in person and may be accompanied if they so wish; in which case they are required to notify the allocated Clerk of the name and occupation of such a person.

### The Composition of the Appeals Panel

- Care must be taken not to involve the whole LGB 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 panel would normally consist of three people, at least one of whom will be independent of Sheffield Springs Academy. The panel may choose their own chairperson.
- It is important that the appeal hearing is as independent and impartial as possible and that it is seen to be so. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. In deciding the composition 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 Role of the Appeals Panel

- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between Sheffield Springs Academy 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 that 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. The panel chair will ensure that the proceedings are as welcoming as possible. Care is needed to ensure the setting is informal and not adversarial. Extra care needs to be taken when the complainant is a child.
- The panel may:
  - 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 Sheffield Springs Academy's systems or procedures to ensure that problems of a similar nature do not recur.

### Roles and Responsibilities

- It is strongly recommended that a clerk be appointed who 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 or acceptable to all parties and that the venue and proceedings are accessible;
  - Invite both the complainant and the Executive Principal to put their position in writing for the panel to consider;
  - Collate any written material and send it to the parties in advance of the hearing;
  - Record the proceedings;
  - Notify all parties of the panel's decision.
- 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 putting their case without undue interruption;
  - Written material is seen by all parties;
  - Key findings of fact are made and each side is given the opportunity to state their case and ask questions;
  - 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.

### Notification of the Panel's Findings and Recommendations

- The Chair of the panel needs to ensure that the LGB, the Executive Principal and the Complainant is notified of the panel's findings and recommendations, in writing, with the panel's response within 3 working days of the hearing.
- The decision of the Appeals Panel is final.

### Appendix 3: Complaint Form

#### Complaint Form

Please complete in **BLOCK CAPITALS** and return to the Complaint Co-ordinator, Andrea Garnett, Business Services Director who will acknowledge receipt and explain what action will be taken.

Your name	
Student's name	
Your relationship to the student	
Address	
Postcode	
Day time telephone number	
Evening telephone number	
<b>Please give details of your complaint</b>	
<b>What action, if any, have you already taken to try and resolve your complaint?</b>	
<b>(To whom did you speak to and what was the response?)</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so, please give details.</b>	

**Signature:**

**Date:**