

## GI COMPLAINTS AND APPEALS

**Last Reviewed:** July 2009  
**Next Review:** July 2010  
**Responsible:** A. Hemmings

### I. GENERAL PRINCIPLES OF COMPLAINTS

#### 1.1. Dealing with Complaints – Initial concerns

The Bushey Academy is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

#### 1.2. Dealing with Complaints – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

#### 1.3. Framework of Principles

The Bushey Academy Complaints and Appeals Policy 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**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the Academy's senior management team so that services can be improved.

#### 1.4. Investigating Complaints

The person investigating the complaint will:

- 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 those complained of, 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.

### 1.5. **Resolving Complaints**

The key objective at each stage in the procedure will endeavour to resolve the complaint. This may be to acknowledge that the complaint is valid in whole or in 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 will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review Academy policies in light of the complaint.

## **2. THE STAGES OF THE COMPLAINTS PROCESS**

### 2.1. **Informal – local resolution of the concern with staff member**

Stage 1 – Informal local resolution of the concern with a staff member. This can be by telephone, in person or in writing. On some occasions the concern raised may require investigation, or discussion with others, in which case an informal but informed response will be issued to the complainant within two days. If no resolution is achieved at stage 1, the complainant will be able to progress the complaint to Stage 2 within 10 working days.

### 2.2. **Stage 2 – Complaint heard by the Principal**

The complaint will be received in writing and will be logged, including the date it was received. The Academy will acknowledge receipt of the complaint within 2 working days of receiving it. A meeting may be convened to discuss the matter further. This meeting will normally take place within 10 working days. The aim will be to resolve the matter as speedily as possible.

If the complainant is not satisfied with the result at stage 2, the complainant will be able to progress the complaint to Stage 3 within 10 working days of receiving the outcome of Stage 2.

### 2.3. **Stage 3 – Complaint heard by the Governors Appeals Panel to include one Independent Member**

If there is a requirement to progress to Stage 3 the complaint must be received in writing and sent to the Chair of Governors, via the Clerk, Sue Richards, c/o The Bushey Academy, London Road, Bushey, Hertfordshire, WD23 3AA. The Chair will then arrange for the complaint to be investigated and considered and will reply to the complainant within 10 working days stating the progress made and the next steps. When your complaint has been fully investigated this will be communicated in writing.

The Chair or a nominated Governor will convene a complaints panel. The Panel will consist of three people not directly involved in the matter detailed in the complaint and at least one member of the Appeals Panel will be independent of the management and running of the Academy.

This process will allow for the complainant to attend the hearing and be accompanied if they so wish. The hearing will take place within 10 Academy working days of the receipt of the written request for Stage 3 investigation.

All parties will be notified of the Panel's decision in writing within three working days after the date of the hearing.

In cases where the matter concerns the conduct of the Principal, the Chair of Governors will be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

#### **2.4. Recording Complaints**

*The Academy will maintain a log if all complaints received. A full written record of the progress and final outcomes of all complaints will be maintained.*

#### **2.5. Monitoring**

##### *2.5.1. Governing Body Review*

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

Complaints information shared with the whole Governing Body will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to the Academy's improvements. When individual complaints are heard, the Academy will identify underlying issues that need to be addressed. The monitoring and review of complaints by the Academy and the Governing Body will be used as a tool to evaluate the Academy's performance.

### **3. COMMUNICATION**

The Academy's the Complaints Procedures could be included in:

- Academy prospectus;
- Governors' report to parents;
- Information given to new parents when their children join the Academy;
- Information given to the children themselves;
- 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;
- Academy website.

### **4. HOW TO COMMENT OR COMPLAIN**

#### **4.1. We care about what you think**

Each day the Academy makes many decisions and tries hard to do the best for all. Your comments - either positive or negative - are helpful for future planning. You may want to talk to us about a particular aspect of the Academy, though not actually make a complaint. If you are dissatisfied about the way your child is being treated or any other actions or lack of action by us, please feel able to contact us.

#### 4.2. Our promise to you

- Your complaint will be dealt with honestly, politely and in confidence
- Your complaint will be looked into thoroughly and fairly
- If your complaint is urgent we will deal with it more quickly
- We will keep you up to date with progress at each stage
- You will get an apology if we have made a mistake
- You will be told what we are going to do to put things right
- You will get a full and clear written reply to formal complaints within 28 working days

### 5. HOW TO MAKE A COMPLAINT

#### 5.1. Stage 1 Informal Resolution

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing.

We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation.

If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with either the teacher or other appropriate member of staff, such as the special needs co-ordinator (SENCO) if it is about special needs.

We know that it can feel uncomfortable to question or challenge, but if you don't tell us what is worrying you we cannot explain what we are doing or try to put it right.

On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within two days. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the Academy within 10 Academy working days and state what you would like the Academy to do. The Academy will then look at your complaint at the next stage.

#### 5.2. Stage 2

If you need to access the next stage then you must complain in writing to the Academy Principal.

The complaint will be logged, including the date it was received. The Academy will normally acknowledge receipt of the complaint within 2 Academy working days of receiving it. In many cases this response will also report on the action the Academy has taken to resolve the issue.

Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 Academy working days. The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result at stage 2 please write to or call the Academy within 10 Academy working days of getting our response. You will need to tell the Academy why you are still not satisfied and what you would like the Academy to do.

#### 5.3. Stage 3

If there is still no resolution or you are not satisfied with the outcome, you can complain by writing to the Chair of Governors, via the Clerk, Sue Richards, c/o The Bushey Academy, London Road, Bushey, Hertfordshire, WD23 3AA. The Chair will then arrange for your complaint to be investigated and considered and will reply within 10 working days to give

you a progress report and tell you what will happen next. When your complaint has been fully investigated you will be told of the outcome in writing.

The Chair or a nominated Governor will convene a complaints panel. One member of the Appeals Panel will be an Independent Panel Member. The hearing will normally take place within 10 Academy working days of the receipt of the written request for Stage 3 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the Academy and the complainant. All parties will be notified of the Panel's decision in writing within three Academy working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

\* **N.B.** In cases where the matter concerns the conduct of the Principal, the Chair of Governors will be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

**The Governors appeal hearing is the last Academy-based stage of the complaints process.**