

Complaints Procedure

It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. The University of Kent Academies Trust takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

However, there will be occasions when complainants want to raise their concerns formally. In these cases, our complaints procedure should be followed.

Who do I speak to if I have a complaint?

It is the Academy's intention that you and your child will experience the highest quality of service, educational provision and communication. If you have any concerns with our quality of provision, please follow the agreed complaints procedure. Parents/carers should raise concerns and complaints with members of staff either in person, by telephone or in writing. You will be given an opportunity to discuss your concerns informally with the appropriate member of staff.

However, if you wish to make a complaint about a particular teacher, or another member of staff, you should initially make your complaint to the Academy Principal. An appointment may need to be made to discuss these concerns further. Please contact reception who will put you in touch with the relevant member of staff, give you their contact telephone number and their email address. The Academy expects all staff to return telephone calls or emails within 24 hours.

Correspondence, statements and records of complaints are considered confidential. However, any complaint brought to the attention of the Academy that suggests that a child/ student has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect will be referred without further notice to Local Authority Children's Services in which the child lives. If the Local Authority decides to investigate a situation this may postpone or supersede investigation by the Academy Principal or Governing Body.

Teaching and Learning:

If you have any concerns about a particular subject or lesson, please contact your child's subject teacher or the Subject Leader (Head of Department). If the issue is still unresolved please contact the Assistant Principal responsible for the leadership of your child's year group.

Welfare at the Academy:

If you have any concerns about attendance, punctuality or your child's welfare, please contact the Attendance Team, your child's Personal Tutor or an Assistant

Principal. If you are unable to get a satisfactory response by following the agreed procedures, then please do not hesitate to contact reception to arrange a meeting with the Academy Principal or the Executive Principal.

Parent/Carer Academy meetings to discuss complaints:

At the meeting arranged to discuss your concerns informally:

- you can bring a friend
- the member of staff dealing with the concern should ensure that you are clear about any actions that may need to be taken and/or how the situation will be monitored, as well as an agreed review date.
- a written record of the outcomes of the meeting will be communicated in writing with appropriate detail

If you are not happy with the solution then you may accelerate the complaint up to the next appropriate stage for your complaint to be heard.

Complaints Procedure Sequence

- 1st Stage - Complaint heard by member of staff not resolved?
- 2nd Stage - Complaint heard by Subject Leader/ or Assistant Principal not resolved?
- 3rd Stage - Complaint heard by Academy Principal or Executive Principal not resolved?
- 4th Stage - Complaint heard by Chair of Trustees or nominated Trustees not resolved?
- 5th Stage - Complaint to the Secretary of State for Education Final and binding decision.

Stage 3 complaints - Complaint to the Academy Principal/Executive Principal for investigation.

For complaints that reach Stage 3 in the procedure, or for complaints against members of staff which automatically start at Stage 3, the following protocols will be followed.

1. The Academy Principal/Executive Principal will acknowledge your complaint in writing. In some cases, s/he will have already been involved in looking at the matter; in others it will be his/her first involvement.
2. The Academy Principal/Executive Principal will consider providing an opportunity to meet with you to supplement any information previously provided.

3. If the complaint is against a member of staff, the Academy Principal/Executive Principal will talk to the staff member against whom the complaint has been made.
4. If necessary, the Academy Principal/Executive Principal will interview witnesses and take statements from those involved.
5. The Academy Principal/Executive Principal will keep reasonable written records of meetings, telephone conversations and other documentation.
6. Once all the relevant facts have been established, the Academy Principal/Executive Principal will produce a written response to you.
7. The Academy Principal/ Executive Principal may wish to meet with you to discuss/resolve the matter before confirming the outcome in writing.
8. The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it will include what action the Academy will take to resolve the complaint.
9. You will also be advised that if you are not satisfied with the response and wish to take the matter further, you can do so, by writing to the Chair of Trustees (4th stage) or his/her nominated representative, within three weeks of receiving the outcome letter.
10. Stage 3 should be completed in ten Academy days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases, the Academy Principal/Executive Principal should write to you giving a revised target date.
11. Academies will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

Stage 4 complaints - Complaints heard by Trustees

1. If the complainant decides to take the matter further, the Chair of Trustees or his/her nominated Trustee representative/s, should write to the parent/ carer to acknowledge the complaint within three academy days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Academy Principal, the Executive Principal and the Clerk to the Trustees.
2. Investigating the complaint - If the complaint has been investigated at Stages 1, 2 and 3 the result of the investigation must be made available to the Chair of Trustees or his/her nominated Trustee representative/s, by the Principal. However, the complaint may be initiated at stage 4, if the complaint is against the Academy Principal. The Chair of Trustees should consult with a panel of Trustees whether and how the complaint should be investigated.
3. The Trust will establish a Complaints Committee comprising of three individuals from which two Trustees can be drawn by the Clerk to the Trustees and an additional

independent panel member. Neither the Academy Principal nor the Executive Principal will serve on this committee.

4. The Committee should consider the complaint on the basis of the written evidence and usually also set up a hearing and hear both parties. Trustees may also take evidence on their own initiative. Trustees should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues. If they decide to set up a hearing, the Committee should follow the procedure set out below.

5. The Clerk to the Trustees will deal with the administration of the procedure; provide independent advice on procedure and evidence; ensure that the relevant facts are established; minute the meeting and draft the decision letter.

6. The Clerk/Chair of the Complaints Committee will write to the parent/carer to explain how the review will be conducted. The letter will be copied to the Academy Principal and Executive Principal.

7. The Clerk/Chair of the Complaints Committee will confirm the date of the meeting with the other Trustee(s).

8. The parent/carer, Academy Principal and, where deemed appropriate the Executive Principal, will be invited to attend the meeting. The date and time of the meeting should be convenient to the parent/carer, Academy Principal and Executive Principal, within reason. The notification should inform the parent/carer and the Academy Principal of their individual rights to be accompanied to the meeting by a friend/representative. It will also explain how the meeting will be conducted and of the parent's/carers right to submit further written evidence to the committee.

9. The Academy Principal and/or Executive Principal may also be invited to prepare a written report regarding any complaint for the Committee to consider.

10. All relevant correspondence regarding the complaint will be circulated to the committee members, the parent/carer, the Academy Principal and Executive Principal in advance of the meeting.

11. If the Academy Principal and/or the parent/carer wish to call witnesses, the agreement of the Chair of the Committee should be obtained in advance of the meeting.

12. It is the responsibility of the Chair to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible, to enable all parties to communicate effectively.

13. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the Committee will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

14. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

15. The meeting should allow for:

- the parent/carer to explain his or her complaint and the Academy Principal to explain the reasons for his or her decision
- panel members to have an opportunity to question all parties
- any party to have the right to bring witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.
- final statement by the complainant and the staff member who is subject to the complaint.

16. The Chair of the Committee should explain to the parent/carer and the Academy Principal that the committee will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Academy Principal and any witnesses will then leave.

17. The panel will consider the complaint and all the evidence presented, and reach a unanimous, or at least a majority, decision on the complaint. Where appropriate the Committee can decide on the action to be taken to resolve the complaint and/ or suggest recommended changes to the Academy's system or procedures to ensure that problems of a similar nature do not happen again.

18. Trustees will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

19. The Clerk/Chair will send a written statement outlining the decision with reasons to both the complainant and the staff member who is subject to the complaint.

20. The complainant should be advised that if she/he is dissatisfied with the response she/he has the right to take the matter further by complaining to the Secretary of State for Education.

21. Stage 4 should be completed in 15 academy days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases the Chair of the Complaints Committee should write to the parent/ carer giving a revised target date.

22. In exceptional circumstances the Complaints Committee may decide after taking advice not to proceed to consider the complaint on the grounds that the complaint has already been dealt with or is malicious/vexatious.

Complaints against the Academy Principal:

If the complaint is wholly or mainly about the Academy Principal, the Executive Principal should consider the complaint in accordance with Stage 4 of the procedure described above. However, before Stage 4 is instigated, the Executive Principal will invite the Academy Principal to respond to the complaint in writing within ten academy days. The Chair will send a copy of the Academy Principal's response to the complainant and the parent/ carer will be asked to indicate within five academy days of receipt of the response whether she/he is satisfied with the response. If the

parent/carer is not satisfied with the response, Stage 4 should commence as described in paragraphs above, i.e. the case will be considered by Trustees.

Complaints against the Trustees:

Complaints against the Chair of Trustees or any individual trustees should be made to the Clerk to the Trustee body (the clerk), the Clerk should then arrange for the complaint to be heard. This can be done by a suitably skilled and impartial member of the Trustee body and then, if necessary, a committee of members of the Trustee body.

Complaints against the entire Trustee body or complaints involving both the Chair and Vice Chair should also be sent to the Clerk, who should then determine the most appropriate course of action. This will depend on the nature of the complaint. This may involve sourcing an independent investigator and/or co-opted governors from other schools to hear the complaint.

This policy was agreed and adopted by Trustees on 24th January 2019 and will be reviewed again in three years time by 23rd January 2022 or as legislation changes.