



# Heron Park Primary Academy

## Contents

<b>1. Introduction .....</b>	<b>1</b>
<b>2. The difference between a concern and a complaint.....</b>	<b>2</b>
<b>3. Accessibility.....</b>	<b>2</b>
<b>4. Who can make a complaint? .....</b>	<b>2</b>
<b>5. Anonymous complaints.....</b>	<b>2</b>
<b>6. Timescales.....</b>	<b>2</b>
<b>7. Resolving complaints.....</b>	<b>3</b>
<b>8. Withdrawal of a complaint.....</b>	<b>3</b>
<b>9. How to raise a general concern .....</b>	<b>3</b>
<b>10. Who to approach with a complaint/concern about a specific person .....</b>	<b>3</b>
<b>11. Stage 1 – Informal Meeting .....</b>	<b>3</b>
<b>12. Stage 2 – Formal complaint .....</b>	<b>4</b>
<b>13. Stage 3 – Appeal to the Local Academy Board or Trust Board .....</b>	<b>4</b>
<b>14. Appeal to the Department for Education .....</b>	<b>6</b>
<b>15. Vexatious complaints .....</b>	<b>6</b>
<b>16. Review and monitoring of complaints and record keeping .....</b>	<b>6</b>
<b>Appendix 1 – Complaints procedure summary .....</b>	<b>8</b>
<b>Stage 1 – Informal complaint.....</b>	<b>9</b>
<b>Stage 2 – Formal complaint .....</b>	<b>10</b>
<b>Stage 3 – Appeal to the Local Academy Board .....</b>	<b>11</b>

## 1. Introduction

Heron Park Primary Academy and Aurora Academies Trust (the Trust) are dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints so that any issues that arise can be dealt with as swiftly and effectively as possible.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

**This document does not apply to:**

- Pupil admissions
- Pupil exclusions
- Complaints about staff members by other staff members
- Complaints by staff about the Trust
- Safeguarding concerns

Each of these follows its own process of complaints and appeals which are outlined in the relevant policies.

## **2. 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’.

*(Ref: DfE Model Complaints Procedure for Schools 2019)*

## **3. Accessibility**

In accordance with equality law, we will consider making reasonable adjustments to enable complainants to access and complete this complaints procedure, eg providing information in alternative formats, helping to put your complaint in writing or holding meetings in accessible locations. Please contact the school office if you require any assistance.

## **4. Who can make a complaint?**

This complaints procedure applies to parents or carers of children that are registered at the school. However, please check the list under section 1 first to ensure the complaint is not covered by a different procedure.

## **5. Anonymous complaints**

We will not normally investigate anonymous complaints. The headteacher and/or LAB chair will determine whether the complaint warrants an investigation. Please note that any complaints about child protection matters are handled under our child protection and safeguarding policy – see page 3.

## **6. Timescales**

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 timeframe if exceptional circumstances apply.

If complaints are made outside of term time or over a weekend, we will record the day received as the first school day back after that time.

If other public bodies are investigating aspects of the complaint (eg the police, safeguarding teams or a tribunal), 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

legal action has been taken against the school in relation to the complaint, we may suspend the complaints procedure until those legal proceedings have concluded.

## **7. Resolving complaints**

Heron Park takes concerns seriously and will make every effort to resolve the matter as quickly as possible, by offering an empathetic response, an explanation of events or, if appropriate, a recognition that the situation could have been handled differently or better. If this is the case, we will explain any steps that will be taken to help ensure it will not happen again, with an indication of the timescales within which any changes will be made.

## **8. Withdrawal of a complaint**

If you wish to withdraw a complaint, please confirm this in writing to the headteacher, via email or letter to the school office.

## **9. How to raise a general concern**

If you have a general concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing.

You may wish to approach your child's class teacher or form tutor first as they will be best placed to help you either directly or to identify the person most suitable to deal with your concern.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

Wherever possible, a written explanation of your concern will need to be provided by you, so that it is easy to see, if the complaint is taken further, what the initial problem was.

## **10. Who to approach with a complaint/concern about a specific person**

**If your concern/complaint is about a member of staff**, you should first raise this with the Headteacher/Head of School either in person or in writing, and a meeting can be arranged with the Headteacher/Head of School to discuss the issue.

**If your concern/complaint is about the Headteacher**, you should raise your concern in writing with the Director of Education and Standards.

**If your concern/complaint is about the Director of Education and Standards**, you should raise your concern in writing with the Chief Executive Officer.

**If your concern/complaint is about the Chief Executive Officer or a member of the School's Local Academy Board or Interim Executive Board**, you should raise your concern in writing with the Chair of the Trust Board.

Members of staff, Local Academy Board members and trustees will refer complaints that are made straight to them to the appropriate member of staff listed above.

## **11. Stage 1 – Informal Meeting**

Once a concern has been raised you may be invited to attend an informal meeting to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Headteacher/Head of School.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 15 school days.

## **12. Stage 2 – Formal complaint**

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the relevant person as outlined in section 10. If a complaint is raised for the first time at Stage 2 the school reserves the right to bring it back to Stage 1 if it considers it appropriate.

This person should acknowledge your complaint in writing within 2 school days and set a response date within 10 school days.

Your complaint will be investigated, and as part of this you may be called in for a meeting if clarification is needed about your complaint or the outcome required. During the investigation, interviews may also be held with others involved in the matter and/or those complained about (allowing them to be accompanied if they wish). If the complaint is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports.

A record will be kept of all interactions with you and other staff, meetings and decisions made in reference to your complaint. This record will be kept confidentially by the school but may be inspected where appropriate by the Secretary of State or any inspection body.

You will receive a response in writing within 10 school days, as indicated above, outlining the response to your concern, and any action that has or will be taken. If it has been decided not to take any further action on the issue, the decision will be explained and how it has been reached, and the response will outline your right to take the matter further and the steps to be taken.

## **13. Stage 3 – Appeal to the Local Academy Board or Trust Board**

### 13.a If your complaint was about a staff member or the Headteacher

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the Local Academy Board's Complaints Panel. You should write to the Trust Governance Manager to exercise this right within 10 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 10 school days, it will be deemed that the decision is accepted, and the complaint will be closed.

If an appeals panel is requested, the clerk to the Local Academy Board will acknowledge your appeal within three school days and make the necessary arrangements to convene the appeals panel within 20 school days from the acknowledgement being sent. Where it is not possible to find a mutually

convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 school days before the appeals panel hearing.

You will be entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you intend to bring anyone.

### **The appeals panel**

The appeals panel will be made up of at least three people, which will include at least one person independent of the management and running of the school.

No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

### **Appeals procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. The complainant and Headteacher / Director of Education and Standards will enter the hearing together.
2. The panel chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The panel will question the complainant.
5. The Headteacher / Director of Education and Standards will explain the school's actions.
6. The panel will question the Headteacher / Director of Education and Standards
7. The complainant will sum up their complaint.
8. The Headteacher / Director of Education and Standards will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within 5 school days.
10. Both parties will leave together while the panel deliberates.
11. The clerk will stay to assist the panel with their deliberations.

The chair of the panel/clerk to Local Academy Board will notify the complainant of the panel's decision in writing within 5 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations to the school. A copy of the decision will be provided to the headteacher and the Trust's Governance Manager.

### **The appeals panel may:**

- dismiss all or part of the complaint
- uphold all or part of the complaint

- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

13.b If your complaint was about the Director of Education and Standards, Chief Executive Officer or a member of the School's Local Academy Board / Interim Executive Board

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the Academy Trust's Complaints Panel. You should write to the Trust's Governance Manager to exercise this right within 10 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 10 school days, it will be deemed that the decision is accepted and the complaint will be closed.

The remainder of the procedure is the same as under 13.a, except that the actions will be carried out by the relevant individuals outlined in section 10 and the Governance Manager.

#### **14. Appeal to the Department for Education**

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.

Such complaints will only be considered if you feel that the Local Academy Board has acted unreasonably or has failed to meet its duties under the Education Act 1996.

#### **15. Vexatious complaints**

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Chair of the Local Academy Board will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious, and the school will be under no obligation to respond to that correspondence.

#### **16. Review and monitoring of complaints and record keeping**

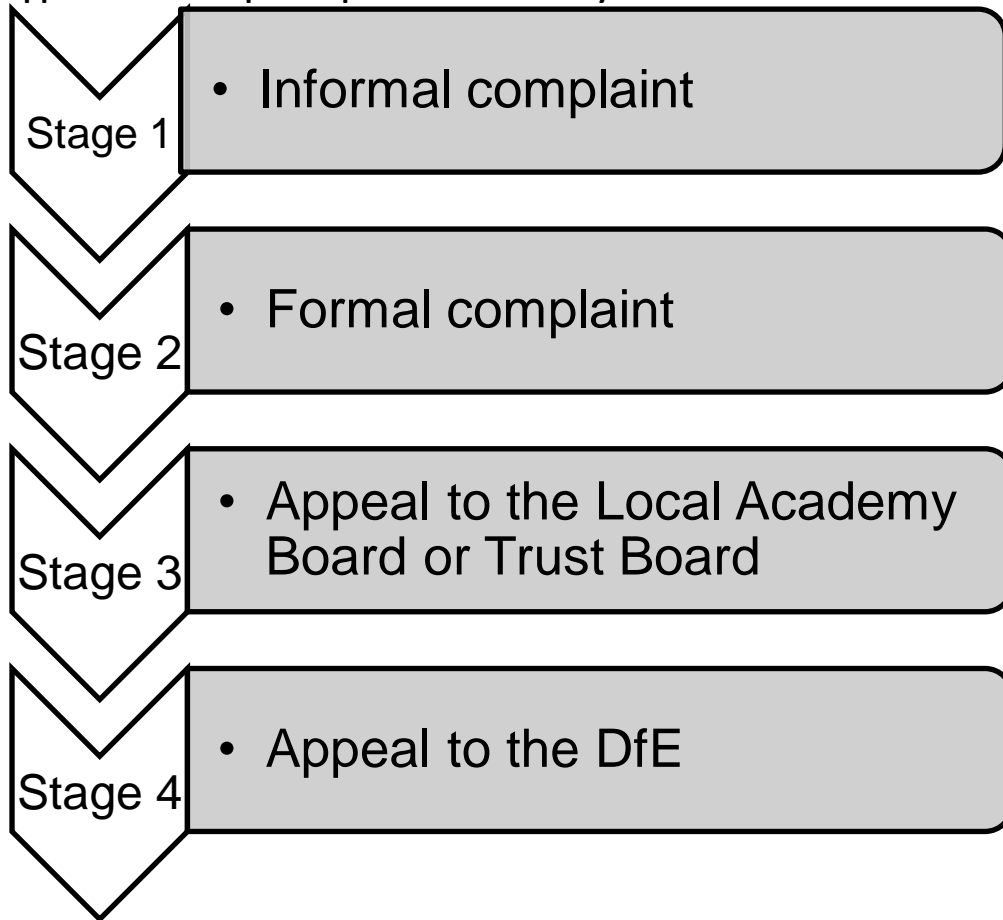
The Headteacher will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

A record of all complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing, shall be maintained by the school. The record shall include details of action taken by the school as a result of those complaints (regardless of whether they are upheld). The Governance Manager will provide trustees with an annual summary of all formal complaints.

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 109 of the 2008 Act requests access to them.

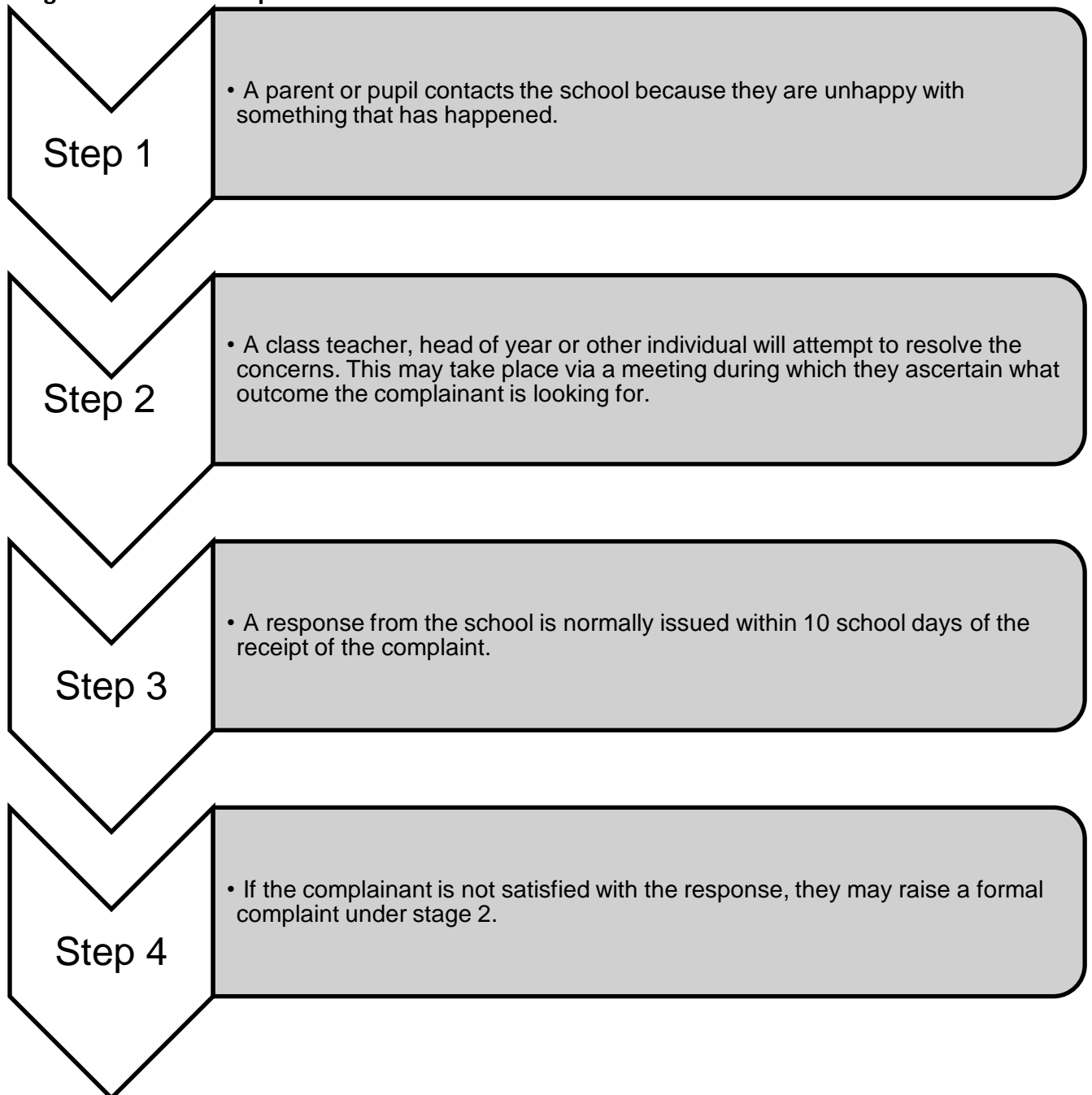
The Trust will review the complaints procedure every 2 years.

Appendix 1 – Complaints procedure summary

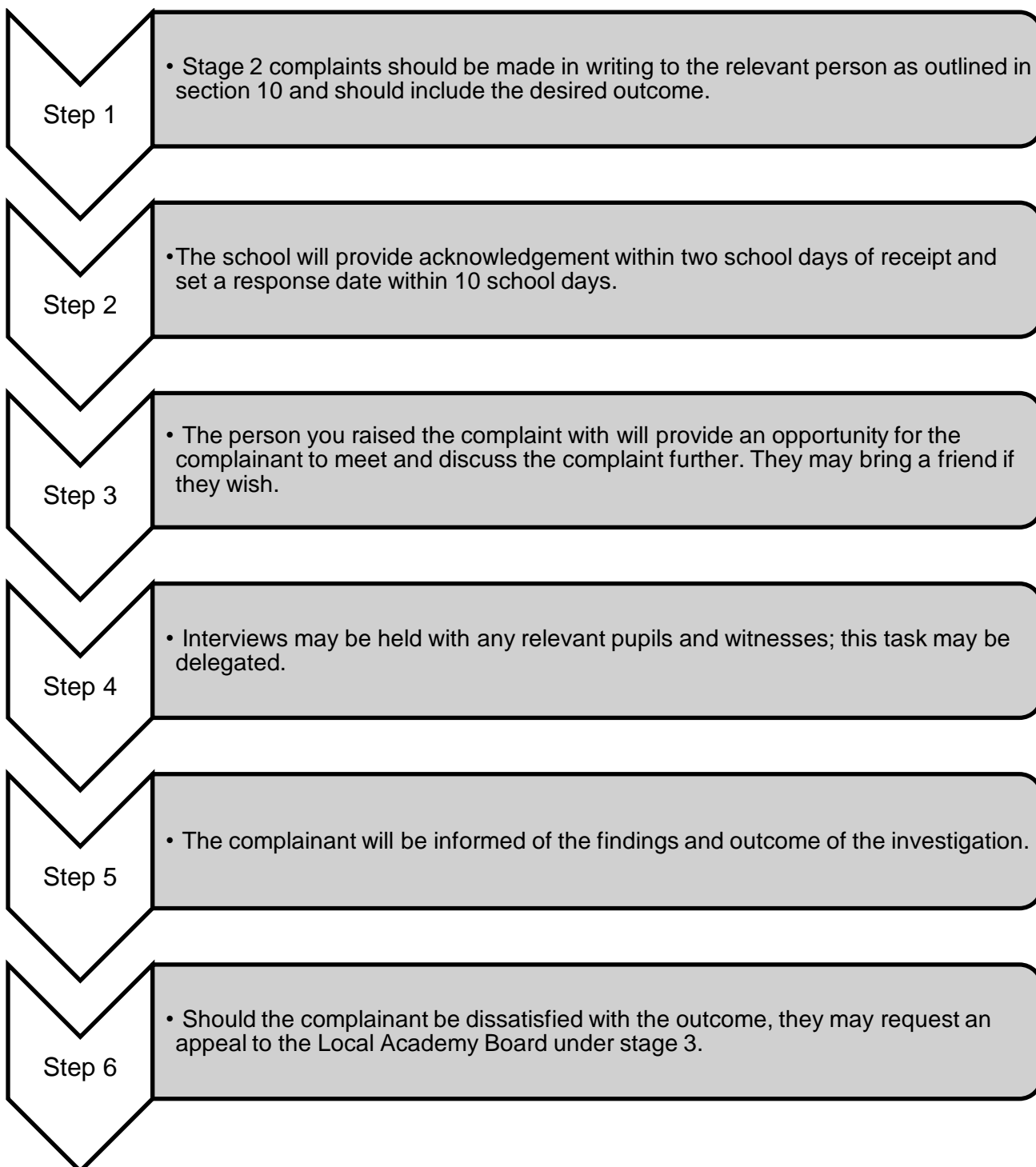




## Stage 1 – Informal complaint



## Stage 2 – Formal complaint



### Stage 3 – Appeal to the Local Academy Board or Trust Board

