



## GOVERNORS' POLICY STATEMENT ON COMPLAINTS

Issue No	Author/ Owner	Date Written/Revised	Approved by Governors on	Comments
1	WF	June 2013	18 September 2013	
2	WF	December 2014	10 December 2014	Small revision
2.1	WF	February 2016	9 March 2016	Reviewed, no changes required
2.2	JN	February 2017	8 March 2017	Reviewed, no changes required

### Purpose

Backwell School believes in a strong productive partnership between school, parents and students, working together for the benefit of the students of the school. If and when concerns are expressed we aim to resolve them as quickly, positively, and amicably as possible through normal channels of communication. There may, however be occasions when a concern is not resolved, and the person concerned has recourse to the formal Complaints Procedure.

### Process

We recognise the difference between a concern and a complaint. Our policy is always to take a concern seriously and to resolve the matter to the satisfaction of all parties, so that a concern does not become a complaint. If a person raising a concern is not satisfied and wishes to take the matter further the formal complaints procedure will be followed.

We seek to resolve complaints as soon as possible. Investigations will be full, fair and swift. Everyone involved in the complaint will be kept informed of progress and the decisions reached. Every effort will be made to respect confidentiality.

A person making a complaint through this policy may be a parent, a representative of an organisation or agency, or member of the general public. The formal procedure for dealing with complaints is outlined in Appendix 1.

Students who wish to make a formal complaint should arrange to see the Headteacher or a Deputy Headteacher only. There are separate policies and procedures for staff complaints.

The School reserves the right to follow-up malicious and or vexatious complaints through formal legal or school disciplinary processes.

### Review and Evaluation

The School will record the progress of the complaint and the final outcome. When individual complaints are heard the school may identify underlying issues that need to be addressed. Therefore, as well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement.

The Governing body will review this procedure annually. They will be advised of the level and nature of complaints by the Headteacher/School Business Manager and review the outcomes on at least a yearly 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 unless appropriate in exceptional circumstances.

## **Appendix 1**

### **The Formal Complaints Procedure for Parents and Members of the Public**

#### **There are 3 Stages of the Complaints Procedure**

##### **Stage 1**

The complaint should be addressed in writing to the Headteacher, who will deal with the matter or delegate it to another member of the School Leadership Team (or if the complaint is about the Headteacher it should be addressed to the Chair of Governors). The complaint will be acknowledged in writing within five school days of receipt. The complainant will receive a written explanation of the action taken within fifteen school days of receipt of the complaint.

##### **Stage 2**

If the complainant is not satisfied with the action taken by the Headteacher, or if the complaint is against the Headteacher, the complaint will be referred to the Chair of Governors. All correspondence should be sent to the school for the attention of the Chair of Governors. The complainant will receive a written explanation of the action taken within fifteen school days of receipt of the complaint.

##### **Stage 3**

If the complainant is not satisfied with the decision of the Chair of Governors a formal complaint may be made to the School Governing Body through the Company Secretary (The School Business Manager). A Governors' Complaints Committee will meet within fifteen school days of receiving the complaint. The complainant will be given seven working days' notice of the meeting and may be accompanied by another person to provide support. The complainant will be informed of the outcome of the meeting and the reasons for it and any action to be taken by the school, within five calendar days of the meeting. The decision of the Complaints Committee is the final part of the School Complaints Process.

As Backwell School is an Academy, if a complaint is about the Governing Body it should be addressed to the Educational Funding Agency (EFA) as below:

#### **Complaining to the Education Funding Agency (EFA)**

The Education Funding Agency (EFA) will normally only consider a complaint about an Academy after the Academy's own complaints procedure has been exhausted. The EFA cannot review or overturn decisions about complaints made by Academies, they can only investigate whether the Academy considered the complaint appropriately. If the EFA finds that an Academy did not consider a complaint appropriately it can request the Academy to re-consider the complaint.

The EFA will investigate complaints about:

- undue delay or non-compliance with an Academy's own complaints procedure;
- allegations that the Academy has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State;
- allegations that the Academy has failed to comply with any other legal obligation placed on it, except in cases where there is another body or organisation that is, in the view of the EFA, better placed to consider and, if necessary, take further action in connection with the issue

(including, but not limited to, a Court of law or other Tribunal of competent jurisdiction, local authorities or other regulatory bodies).

The EFA will not investigate complaints about:

- examination results or curriculum content where a more appropriate form of redress would be the examining body or Ofqual;
- a child or young person's Statement of Special Educational Need where there is another route of appeal, for example the First-Tier Tribunal (Special Educational Needs and Disability) Service formerly the Special Educational Needs and Disability Tribunal (SENDIST): <http://www.justice.gov.uk/tribunals/send>;
- matters that are the subject of legal action.

The EFA will not usually investigate complaints more than twelve months after the decision or action was taken unless the complainant has good reason for the delay in making the complaint. The EFA reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that the Academy has already taken or proposes to take to resolve the complaint.

Complaints to the EFA about Academies should be sent:

- By email to [academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk)
- By post to Academies Central Unit (Academy Complaints), Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.



## COMPLAINTS FORM

Please complete and return to the School Business Manager 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:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint: (Who did you speak to and what was the response)?	

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 only**

Date acknowledgement sent:

By who:

Complaint referred to:

Date: