



## **VISION**

Our Vision is to develop literate, numerate, global citizens who ASPIRE, i.e. they are: Ambitious, Self-confident, Physically literate, Independent learners, Resilient, Emotionally literate

## **PURPOSE**

The Bourne Academy is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. 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 staff will always try to resolve issues on the spot, including apologising where necessary.

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.

## **OBJECTIVES**

The Bourne 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 Leadership Team so that services can be improved

## **PROCEDURES**

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.

Here is some information about how to make a complaint. If you would like some more help or advice please contact the Academy office.

### **Our promise to you**

- Your complaint will be dealt with honestly, politely and in confidence. All complaints are confidential, except where the secretary of state or a statutory body conducting an inspection requests access to them. 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

### **Investigating Complaints**

The Academy 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 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

### **Resolving Complaints**

The key objective is to resolve the complaint. This may be to acknowledge that the complaint is valid in whole or in part. In addition, the Academy may 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 situation 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

# STAGES OF THE COMPLAINTS PROCESS

## **Stage 1: Raising a concern**

This can be by telephone, in person, in writing or by email. 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 ten working days by completing the Academy's complaint pro-forma stating what you would like the Academy to do. The Academy will then look at your complaint at the next stage.

## **Stage 2: Complaint heard by the Principal or a member of the Academy's Leadership Team**

Formal complaints should be put in writing, addressed to the Principal with the Academy's Complaints Pro-Forma completed. The complaint will be logged, including the date it was received and the Principal will allocate the complaint to a member of the leadership team. The Academy will acknowledge receipt of the complaint within three working days of receiving it and state who is dealing with the complaint. As part of the investigation into the complaint a meeting may be convened to discuss the matter further. This meeting will normally take place within ten 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 ten working days of receiving the outcome of Stage 2, **explaining why the matter has not been resolved satisfactorily and clearly stating the grounds for your appeal.**

## **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, **clearly stating the grounds for your appeal** and sent to the Chair of Governors, via the Clerk to Governors.

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 ten Academy working days of the receipt of the written request for Stage 3 investigation.

The procedure for the hearing will be appropriate for the circumstances and is at the discretion of the Chair of the Committee, but is likely to involve:

- a) Presentation of the complaint by the complainant
- b) A reply by the Academy
- c) Questioning by all parties
- d) Representation about ways to resolve the complaint satisfactorily

After due consideration of all the facts they consider relevant, the Committee will reach a decision and may make recommendations which it shall complete within ten (10) working days of the hearing.

Within five (5) working days of the decision being reached, the Committee's findings and recommendations will be sent by the Clerk in writing to the complainant(s), the Principal, the Committee and where relevant the person complained of. The letter will state the reasons for the decision reached and any recommendations made by the Committee. The decision of the Governors Appeals Panel is final.

## **The Remit of the Complaints Appeal Panel**

The panel can:

- 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 the Academy's systems or procedures to ensure that problems of a similar nature do not recur
- Provide the complainant and where relevant, the person complained about, with a copy of the findings and recommendations

**Note:**

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 Chair of Governors may also call for a briefing from members of staff and will if necessary, speak to or meet with the complainant(s) to discuss the matter further. Once the Chair of Governors is satisfied that, so far as is practicable, all of the relevant facts have been established, the complainant(s) will be informed of the decision in writing. The Chair of Governors will give reasons for his/her decision. If parents are still not satisfied with the decision at Stage 2, they should proceed to Stage 3 of this procedure.

If your complaint/appeal is in relation to a fixed term exclusion then this will be dealt with by the provisions set out within the Academy's Behaviour Policy.

**Recording Complaints**

The Academy will maintain a log of all complaints received. A full written record of the progress and final outcomes of all complaints will be maintained by the Academy's Human Resources Manager.

**Unreasonable complaints**

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)

- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Principal will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school.

### **Monitoring, Evaluation and 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.

The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

*Reviewed by the Governing Body in March 2024*

# APPENDIX 1

## The Bourne Academy Complaints Proforma

### PERSONAL DETAILS

NAME:

TITLE (Mr, Mrs, Ms etc.)

ADDRESS:

EMAIL ADDRESS:

HOME TELEPHONE:

MOBILE:

### STUDENT DETAILS

NAME OF STUDENT:

MENTOR GROUP:

### DETAILS OF COMPLAINT (please attach additional sheets as necessary)

### NATURE OF COMPLAINT

**WHAT ACTION, IF ANY, HAVE YOU TAKEN TO TRY TO RESOLVE YOUR COMPLAINT?**

**WHAT IS YOUR EXPECTED OUTCOME**

**SIGNATURE:.....DATE:.....**