



VISION

Our central belief is that everyone is a learner and everyone is a teacher.

PURPOSE

At The Bourne Academy we develop literate, numerate global citizens who ASPIRE:

Ambitious, **S**elf-confident, **P**hysically Literate, **I**ndependent Learners, **R**esilient, **E**motionally Literate.

RATIONALE

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
- 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: Informal local resolution of the concern with a staff member

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.

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 two working days of receiving it. 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.

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 to Governors. The Chair will then arrange for the complaint to be investigated and considered and will reply to the complainant within ten working days stating the progress made and the next steps. When your complaint has been fully investigated it 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 Clerk to Governors should be informed, in advance, of who is attending the meeting with the complainant. The hearing will take place within ten 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. The decision of the Governors Appeals Panel is final.

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.

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.

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 October 2017

Next Review Date: October 2018

APPENDIX 1

Procedural advice for staff in conducting interviews with complainants within formal guidelines

In conducting an interview with complainants, staff should:

- Have regard to confidentiality at all times. The need to treat conversations and correspondence as confidential is of paramount importance. From the outset all parties to a complaint should be made aware of this advice
- Listen attentively and sympathetically to the complainant, allowing them to explain their concern(s) in their own way, and then, if necessary, try to identify the issue(s) by asking questions and clarifying what has been said
- At the end of the interview with the complainant, decide if it is possible to (i) make an immediate response to their concern(s); (ii) tell them that their concern(s) will be carefully considered and when all the facts and circumstances have been ascertained, they will be contacted within ten working days and informed of the Academy's response to their concern(s)
- Avoid passing judgement or coming to conclusions before having spoken to any third parties and having considered all the aspects of the complaint
- If the complaint is against a third party, ensure that they have an opportunity to explain the situation as they see it, but not necessarily in the presence of the complainant
- Examine the general context and constraints of the situation and consider if there are any precedents
- When all the facts and circumstances relating to the matter have been ascertained, decide how the complaint(s) should be disposed of
- Clearly inform the complainant of the Academy's response to the complaint(s) and of the alternative formal procedure which are open to the complainant if he/she wishes to pursue them
- Resolve the complainant's concern(s), if possible, by informal discussions between the complainant and the Academy, if this leads to a reasonable resolution of the problem
- Endeavour at all times to conclude the informal procedures as quickly as possible

Procedures for Governing Body Complaints Panel Meetings

Individual complaints cannot be heard by the whole Governing Body at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- Drawing up its procedures
- Hearing individual appeals
- Making recommendations on policy as a result of complaints

The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose its own chair. One member of the panel will not be member of the Governing Body as they need to be independent of the management and running of the Academy.

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

There are several points which any Governor sitting on a complaints panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child, and may choose to be accompanied. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- The Governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

- Clerk all Complaints Panels
- Be the contact point for the complainant and be required to set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- Collate any written material and send it to the parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing

- Record the proceedings
- Notify all parties of the panel's decision

The Role of the Chair of the Governing Body or the Nominated Governor

- Check that the correct procedure has been followed
- If a hearing is appropriate, notify the Clerk to arrange the panel

The Role of the Chair of the Panel

- Ensure the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- Ensure the issues are addressed
- Ensure key findings of fact are made
- Ensure parents/carers and others who may not be used to speaking at such a hearing are put at ease
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure