



Manchester Communication Primary Academy

COMPLAINTS PROCEDURE

Policy 2018

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CONTENT

<u>Introduction</u>	1
<u>1. When an Issue or Concern first Arises</u>	1
<u>2. Formal Complaints</u>	3
<u>3. Appeals</u>	4
<u>4. Vexatious / Persistent Complaints</u>	6
<u>5. Governing Body - Record, Review and Monitoring of complaints</u>	7
<u>Staff Complaints</u>	7
<u>Contact Details</u>	7
<u>Appendix 1: Complaint Record Form.</u>	8
<u>Appendix 2: Complaint Record Form Guidance</u>	9

Introduction

Manchester Communication Primary Academy is 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 to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy only fully applies to parents of registered pupils at the academy. If complaints are raised by persons other than parents, they will be dealt with under stages 1 and 2 of the formal policy.

All academy staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

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. If it becomes necessary to alter the time limits and deadlines set out within this procedure, the complainant will be advised accordingly, given an explanation and provided with revised timescales.

This document does not apply to complaints about:

- Pupil admissions
- Pupil exclusions
- EHC Plans

Each of these follows its own process of appeals.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the academy may immediately refer the case to child protection and welfare services, including the local authority designated officer. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the academy and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the academy, any consideration of that complaint by the academy will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and the communication/procedure around this, in light of the safeguarding policies.

For more information on our school's provision for protecting our pupils, read our **child protection and safeguarding policy**.

Anonymous complaints will not be examined under this document.

1. When an Issue or Concern First Arises

If you have a 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 then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's class teacher first as they will be best placed to help you either directly or by directing you to the most appropriate member of staff.

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

If your complaint is about a member of staff, you should first raise this with the headteacher either in person or in writing, and a meeting can be arranged with the headteacher to discuss the issue at hand.

If your complaint is about the headteacher, you should raise your concern in writing with the chair of governors – Mrs Janice Hayman, who can be contacted via the MCPA office.

If your complaint is about a governor, you should raise your concern in writing to the Executive Director of the trust – Mr Ian Wait, who can be contacted via the MCPA office.

If a complaint is misdirected to one of the people listed above, they will re-direct the complaint to the correct level.

1.1 A General Concern

If your concern is more general and not suitable basis for a complaint (an example might be that you are concerned about a lack of variety in school dinners), this can be addressed through the parent focus group, the chair of which (Christina Djebah) can be contacted through the academy reception. This can then be added to the agenda of the next parent focus group and discussed in an open forum with parents and the academy's leadership team.

Prior to an item being added to the focus group agenda, the following must be established:

- Is the issue broad reaching in that it affects a significant amount of children?
- Is the issue appropriate to discuss in open forum?
- What might an appropriate outcome/solution look like?

If it is decided that your issue should not be discussed at the focus group, a member of the academy's leadership team will contact you to discuss the issue directly.

1.2 Initial Informal Meeting

Once a concern has been raised which cannot be immediately resolved, you may be invited to attend an informal meeting with a member of staff or the headteacher/chair of governors 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. However, this may not be deemed appropriate by the member of staff conducting the meeting; if this is the case and you do not allow your child to be absent from the meeting, the meeting will not take place.

The primary purpose of this informal meeting is to ascertain the facts of the complaint and the desired outcome, during this meeting, the form in appendix 1 will be completed by the member of staff leading the meeting.

For many complaints, it will also be possible to find an appropriate resolution in this meeting.

This will also be recorded on the form.

Completed forms will be uploaded to CPOMs under the category ‘parental contact’.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently within the informal stage, but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can opt to escalate the complaint to a formal complaint.

There is no suggested time-scale 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 10 school days.

2. Formal Complaints

In order to ensure that complaints are processed efficiently and effectively, MCPA deals with formal complaints in three stages:

Stage 1:

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 to the headteacher, this must take the form of a face to face meeting with the headteacher or a nominated representative you may also provide this information in writing if you wish. If your complaint is about the headteacher you should go straight to Stage 2 of this procedure.

Timescales:



The headteacher will act as or nominate a member of the SLT to be the complaints-coordinator for all stage 1 complaints. Complaints must be lodged through this process in order to be considered formal, failure to meet with a member of the academy’s leadership team, as outlined above, will result in the complaint not being responded to.

Once your complaint has been lodged and subsequently investigated, the headteacher will write to you to inform you of the findings of the investigation, the outcomes and any resulting actions. You will also be invited to a ‘closure meeting’ to discuss this, if you wish.

At this point, the complaint will be deemed closed and unless there are further instances of the issue. The academy will not re-investigate resolved complaints. Should a complainant seek to re-raise a resolved issue, complainants will issued with a copy of this policy and the previous correspondence.

If the complaint is an allegation of abuse, a formal investigation may be instigated by the acad-

emy or external child welfare authorities. Please refer to our child protection and safeguarding policy for an outline of this procedure

Stage 2

If, having followed stage 1, you are dissatisfied with the outcome of your complaint or your complaint is about the headteacher, you may lodge your complaint with the chair of governors. The complaint must be in writing and it should explain your concern in sufficient detail and the steps that have led up to you taking this course of action. You should also set out the actions you feel would be necessary to resolve the complaint. If your complaint does not detail this, it will be automatically rebutted.

Following receipt of your complaint, the chair of governors will write to you within 5 school days to acknowledge that it has been received and an investigation commenced.

The chair of governors may choose to delegate the investigation of the complaint to another governor or member of MCPA/GMAT staff.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 5 school days of the complaint being acknowledged.

The chair of governors will respond to you in writing within 15 school days of receipt of the complaint, outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

You will also be invited to a minuted closure meeting with a member of the governing board.

3. Appeals

Stage 3:

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the executive director of the Greater Manchester Academies Trust. You should write to the executive director to exercise this right within 3 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 3 school days, it will be deemed that the decision is accepted, and the complaint will be closed.

If an appeals is requested, the executive director will acknowledge your appeal and make the necessary arrangements and will usually convene the appeal meeting within 10 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 of the governing board will support this process and 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 executive director by both parties at least 3 days before the appeals panel hearing.

You are entitled to be accompanied to the appeal meeting and should notify the clerk in advance if you attend to bring anyone.

The appeal meeting

The appeal meeting will be held by a panel made up of the executive director, someone who is independent of the management of MCPA and where appropriate, another member of the GMAT leadership team.

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 the executive director. 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 will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The headteacher and panel will question the complainant.
5. The headteacher will explain the school's actions.
6. The complainant and panel will question the headteacher.
7. The complainant will sum up their complaint.
8. The headteacher will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within 5 working days.
10. Both parties will leave together while the panel decides.
11. The clerk will stay to assist the panel with its decision making.

There may be times in which the above process should be amended, such as not having the complainant and headteacher interact.

The chair of the panel/clerk to governors 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 which will be made to the governing body.

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 academy's systems or procedures as a preventative step against similar problems arising in the future.

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>.

4. Vexatious / Persistent 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 headteacher or chair of governors 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.

If the complainant subsequently contacts the academy again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- the academy has taken every reasonable step to address the complainant's needs, and the academy's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the academy repeatedly but making substantially the same points each time
- the academy reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards academy staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

The academy may also take the following steps in managing parents who are vexatious/rude towards staff:

- Appoint a single point of contact with the academy, ideally a senior leader or family support worker who can maintain a constructive relationship with the parent.
- Establish a set programme of meetings (i.e. once every 2 weeks) with an appointed staff member.
- Cease all verbal communication, communicating only in writing between the parent and a contact point.
- Where all other options have been exhausted; banning the parent from the academy site, as set-out in: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/295978/school_security_advice_181212__2___.pdf

5. Governing body – Records, Reviews and Monitoring of Complaints

The academy will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

Records of complaints will be kept on CPOMs, only for as long as necessary and in line with data protection law.

MCPA 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. All records of any complaints will be kept confidential but may be inspected where appropriate by the Secretary of State or any inspection body. The governing body will review the complaints procedure every 3 year(s).

6. Staff Complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **whistleblowing policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the GMAT staff handbook.

Contact Details

Mr Alex Reed – Headteacher

Mr Ian Williams & Mrs Nazia Bashir – Assistant Headteachers

Miss Lorraine Carlin – Family Support

Mr Ian Wait – Executive Director

Mrs Janice Hayman – Chair of Governors

Mrs Jeanette Wong – Academy Business Manager

Signed by:

The chair of Governors:

Date:

Headteacher:

Date:

Appendix 1 - Complaint Record Form

Complaint:		Date:	
Child:		Lead Staff:	

Nature of the complaint.

Desired outcome.

Details of action taken and information shared by staff.

Next steps.

Please tick outcome:

- Resolution agreed Action agreed, follow-up meeting on _____ Escalate to formal complaint

Signed (Member of staff): _____

Signed (Complainant): _____

Appendix 2 - Complaint Record Form Guidance

Complaint:	Name and title of complainant – how they would like to be addressed	Date:	Date of the meeting
Child:	Child's name, class and the complainant's relationship to them.	Lead Staff:	Name of the member of staff handling the complaint (you).

Nature of the complaint.

Record as much detail as possible, including dates and times, use initials of other children not names.

Read back to the complainant in order to check that it is correct. Ensure that this is clear on what the crux of the complaint is.

Desired outcome.

What specifically does a resolution look like? Not 'I want it sorting', but specific success criteria. Counsel on what is/isn't appropriate – a parent can know that we will address issues with other children but it's not appropriate to know how etc

Details of action taken and information shared by staff.

Record here what you say – what have we already done, what processes do we have in place? Remember to note anything you say which a complainant may refer back to. It's OK to say you're sorry if something hasn't gone well or sorry that a parent is upset, but until you have all the facts, avoid admitting guilt if possible.

Next steps.

What do we need to do? What will happen next?

Please tick outcome:

Resolution agreed
 Action agreed, follow-up meeting on _____
 Escalate to formal complaint

Signed (Member of staff): _____

Signed (Complainant): _____