





Full name of policy:	Complaints Procedure		
Name and post of person responsible:	Johnny Clark, Deputy Head, Pastoral		
Frequency of review:	Bi-Annually		
Dates of previous reviews:	N/A		
Date of next formal review:	1/9/19		
Policy Reference:	All policies can be found in the 'Information for staff' folder		
Total number of pages: (Including appendices and front sheet)	13		
Comments:	<p>This policy should be read in conjunction with:</p> <ul style="list-style-type: none"> • Behaviour Policy • Admissions Policy • HR Policy 		
	Name (role):	Signature:	Date:
Written:	Johnny Clark, Deputy Head, Pastoral		19.08.17
Ratified:	Jan Balon, Headteacher		29/8/17
Reviewed:	Johnny Clark, Deputy Head, Pastoral		1/9/19
Ratified:	Jan Balon, Headteacher		1/9/19

Contents

1	Introduction	2
2	The Five Stage Procedure	2
3	Relevant member of SLT	5
4	Confidentiality	6
5	Complaints Register.....	6
6	Publication of Procedures	6
7	Summary of time scales for a complaint	6
8	Conduct	6
9	Unreasonable complaints	6
10	Monitoring and reviewing	8
	Appendix A.....	9
	Appendix B– Roles and Responsibilities.....	10

The purpose of this policy is:

- Set out a clear system for managing and responding to complaints

It is the responsibility of everyone involved in the **Complaints Procedure**

London Academy of Excellence Tottenham is committed to actively promoting equality of opportunity in everything that it does and to ensuring that differences between all of our learners and staff are valued and respected. This policy complies with the 2010 Equality Act.

This Complaints Procedure will be reviewed bi-annually.

1 Introduction

Parents / carers, students and any other interested parties, including members of the general public, (hereafter, complainant) are encouraged, through this procedure and through the pastoral structure, to raise concerns or to make complaints easily and without anxiety and in the knowledge that concerns and complaints will be treated seriously, impartially and, except where disclosure is legally required, confidentially. This Complaints Procedure describes the actions to be followed if a complainant wishes to make a formal complaint about any aspect of the London Academy of Excellence Tottenham (hereafter, LAET). This includes complaints about the curriculum.

There is a distinction between a concern and a complaint. In the case of this policy:

- A 'concern' is defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A complaint is defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

Concerns would be expected to be raised at Stage 1; informal resolution with a relevant staff member.

The policy does not involve complaints for which other policies exist including:

- Admissions;
- Exclusions;
- Sexual Health and Relationships Education;
- Special Educational Needs;
- Staff Grievances and Staff Disciplinary;
- Whistleblowing;
- Matters likely to require a Child Protection Investigation;
- Complaints relating to a third-party provider offering community facilities or services through the school premises, or using school facilities, please refer to the third party's own complaint procedure in the first instance.

This policy is written with due regard to the government guidance, *Creating an academy complaints procedure* updated January 2015 and *Best Practice Advice for School Complaints Procedures 2016 (January 2016, DfE)*. This policy fulfils the school's obligations and duties under Section 29 of the Education Act 2002.

This policy will be reviewed annually.

2 The Five Stage Procedure

The key stages of our Complaints Procedure are as follows:

Stage 1	Informal Resolution with a relevant staff member
Stage 2	Formal Complaint to the relevant member of SLT for investigation
Stage 3	Formal Resolution by appeal to the Headteacher
Stage 4	Independent Resolution through a panel hearing (involving Governors)
Stage 5	Referral to the Department for Education (DfE)

Note: If a complaint is made directly against the Headteacher the procedure begins at Stage 4. If the complaint is made directly against individual governors, including the chair, this should be made by writing to the clerk to the governing body. Complaints about governors will be managed by the chair, or the vice-chair in the case of complaints about the chair.

Stage 4 of the procedure involves at least 2 members of the Governing Body, as appointed by the Chair of Governors. Prior to this stage information about complaints is not shared with the full Governing Body, to ensure that there are Governors uninvolved should stage 4 be necessary. In Stage 4, an alternative independent member will be identified, if necessary, in line with best practice guidance to ensure procedures are carried out with full integrity. This individual should be Headteacher of a school which is in no way a connected to LAET.

We would expect all complaints to be raised as soon as possible after an incident arises and at the latest within 3 months, and reserve the right to not follow through the Complaints Procedure for complaints raised beyond this time. The school will consider exceptions to this time limit in the case of extenuating circumstances. These circumstances will be treated confidentially and must be outlined, together with the complaint.

Recording Complaints

Complaints raised at Stage 1 are logged by the Business Director or PA to the Headteacher on a centralized database, not including the name of the complainant or staff member concerned. The purpose of this log is to identify trends and ensure that a resolution is made with appropriate feedback to the relevant parties.

For Stages 2-5 of the Complaints Procedure, Appendix A must be completed and sent to the relevant person as outlined below. Should a complainant have communication difficulties due to disability or learning difficulties, the school will allow an alternative method of contact such as in person or by telephone. In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. Where there are communication difficulties, the school may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point.

Complaints at Stages 2-5 are logged by the Business Director or PA to the Headteacher on a centralized database, including the name of the complainant or staff member concerned and the progress of the complaint and the final outcome.

Stage 1 Informal Resolution

- Resolution

Complainants should wherever possible seek an early and informal resolution of all complaints and concerns. LAET will take reasonable measures necessary to respond to and rectify any complaints and concerns before they become a Formal Complaint. Such measures will include some or all of the following: giving advice or reassurance; explaining the context to an incident or decision; gathering information from other staff or from students; finding information from other sources; referring the complaint or concern to a senior colleague; reviewing or amending practice; giving feedback to the complainant; apologising for mistakes or oversights.

- Making contact

A complainant that is a parent/carer of a current student with a complaint or concern should normally first contact the student's Tutor, if the complainant has a complaint or concern about their student. There may be occasions where the first contact may be with an alternative, normally more senior, teacher, for example the student's Head of House. Other staff (for example, a subject teacher, or Deputy Head) may need to be involved or consulted if this teacher cannot resolve the matter alone.

If the complainant is not a parent/carer of a current student, nor putting forward a complaint or concern on behalf of or in respect of a particular student, if for example it is a member of the

public, contact would be made with the Headteacher, via the Headteacher's PA and the matter dealt with accordingly.

- Time-frame

The school will respond within 10 school days of the concern or complaint being raised. In the event that a complainant is dissatisfied with the school's response, then they are entitled to proceed with a formal written complaint in accordance with the procedure below within ten school days of the school's response.

Stage 2-5 Formal Complaints

- Stage 2 - Formal Resolution by the relevant member of SLT

If the complaint or concern has not been resolved informally, the complainant should put it in writing using the Formal Complaint Record (Appendix A), addressed to the relevant member of SLT. In their complaint, the complainant is required to suggest proportionate and reasonable action which will resolve their complaint. Where necessary, the member of SLT will meet with the complainant, within ten school days of receiving the complaint, to discuss the matter and if possible to reach a resolution at this stage. Where a complaint is received during a school holiday, it will be deemed to have reached the school on the first full school day following its arrival. It may be necessary to carry out investigations. The school has the discretion to decide which member of SLT should lead on the investigation. The member of SLT will keep written records of all complaints, and of meetings held in relation to them. Once the member of SLT is satisfied that all the relevant facts have been established, a response to the complaint will be made and the complainant will be informed in writing, within fifteen school days of the Formal Complaint being received by LAET. The nature of the response will depend on the nature of the complaint but it will always give a judgement whether and to what extent, if at all, the complaint is justified, and reasons; the response may include actions which the school intends to take or a decision. A complainant who is not satisfied should proceed to the next stage within ten school days of the member of SLT's written response.

- Stage 3 - Formal Resolution by Appeal to the Headteacher

If Stage 2 has not resolved the complaint satisfactorily the complainant should write to the Headteacher within ten school days of the date of the written response stating why an appeal for resolution by the Headteacher is requested and, wherever possible, the action which the complainant wishes LAET to take to resolve the concern. The Headteacher will review the appeal and make a decision whether to proceed with a Formal Resolution at Stage 3. Should the Headteacher accept the appeal, the procedure to be followed will involve the same steps, timescale, record keeping and form of response as set out for resolution by the member of SLT in Stage 2. A complainant who is not satisfied, after receiving the Headteacher's decision, should proceed to Stage 4.

A complainant, for complaints of a particularly serious kind (and for any complaints relating to the actions or conduct of a member of SLT), may choose to address the Formal Complaint directly to the Headteacher, which if accepted by the Headteacher will be taken at Stage 3, the Formal Resolution by Appeal to the Headteacher.

- Stage 4 – Independent Resolution through a panel hearing (involving Governors)

If Stage 3 has not resolved a complaint satisfactorily, the parent / carer should write within ten school days of the Headteacher's response to The Chair of Governors, London Academy of Excellence Tottenham, who will acknowledge the letter of complaint within five school days of receiving the complaint. A panel of two Governors and one member who is independent of the management and the running of the academy (who have not been involved in the complaint

up to this point) will be convened to hear the complaint, normally within fifteen school days of the complaint being acknowledged by LAET. The Clerk to the Governors, unless he/she is the object of the complaint, will be present to act as clerk to the panel. Members of the panel will have access to all relevant documentation and will be able to ask LAET and the complainant for any other relevant information or documentation. It is intended that the process should not be legalistic. Complainants may be accompanied at this meeting by the student concerned, if applicable, and by one other person (e.g. relative, friend or a relevant specialist). If a student has made a complaint, they are encouraged to bring a family member or a close friend above the age of 18 with them, and may also be accompanied by one other person (e.g. relative, friend or a relevant specialist). If possible the panel will resolve the complaint without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation. After due consideration of all relevant facts, the panel will give written findings in response to the complaint: the findings will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the complaint is justified, and the panel's reasons. The findings may include recommendations or actions which the panel requires LAET to take. The findings of the panel will be final. A copy of the findings will be sent to the complainant, Headteacher and Governors (at the school address) and any person who is the object of the complaint, by electronic mail or by post, at the discretion of the panel, within fifteen school days of the panel convening.

- Stage 5 - Referral to the Department of Education.

If Stage 4 has not resolved a complaint satisfactorily, the complainant should write within ten school days of the report of the Governors' findings on the complaint to the Department of Education requesting their advice using the online form:

https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

3 Relevant member of SLT

Jan Balon	Headteacher	Admissions, complaint against a member of SLT, health and safety, staff recruitment, website,
Paul Martin	Business Director	Premises, financial management, catering, Business Technical and Administrative staff, contracted services, bursary, deposit, Free School Meals, marketing, external relations
Joseph Hoddy	Deputy Head (Academic)	Curriculum, teaching and learning, subject choices, exams, school trips, lectures, Work Discovery
Johnny Clark	Deputy Head (Pastoral)	Safeguarding, tutoring, bullying, pastoral care, House system, bursary, , co-curricular, student voice, SEND

4 Confidentiality

Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting a formal inspection, requests access to them.

5 Complaints Register

LAET will maintain a register of all formal complaints.

6 Publication of Procedures

The existence of the Complaints Procedure shall be publicised on LAET's website as part of its Publication Scheme. Printed copies are available on request at LAET.

7 Summary of time scales for a complaint

	Initial response by School	Investigation and response	Response by complainant*
Stage 1	Within 10 school days of the concern or complaint being received.	Included in initial response.	A Formal Complaint to be made within 10 school days of the school's response.
Stage 2	Within 10 school days of the complaint being received.	Within 15 school days of the complaint being received.	Within 10 school days of the date of the member of SLT's written response.
Stage 3	Within 10 school days of receipt of the appeal request.	Within 15 school days of the appeal.	Within 10 school days of the date of the Headteacher's written response.
Stage 4	Within 10 school days of receipt of the complaint.	Within 15 school days of the initial response to the complaint.	Within 10 school days of the date of the Governors' report.

*After any of these time intervals have elapsed, it will be assumed that the complainant does not wish to continue with the complaint, and the matter will be closed by the school. Complainants cannot re-open a closed complaint unless there are exceptional circumstances to justify their doing so.

8 Conduct

LAET expects that all parties will be respectful and courteous throughout the complaints process. LAET will not tolerate verbal or physical harassment or abuse towards any of its staff members.

9 Unreasonable complaints

LAET 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. In cases where the school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

LAET defines unreasonable complaints 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 in any of the following ways:-

- 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 Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact LAET 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 LAET.

10 Monitoring and reviewing

	Name	Date	Role
Written	Johnny Clark	19.08.17	Deputy Head,Pastoral
Approved	Jan Balon	22/8/17	Headteacher
Ratified			
Reviewed			
Ratified			
Reviewed			
Ratified			
Reviewed			
Ratified			
Reviewed			
Ratified			

Appendix A

Formal Complaint Record

Please complete all sections of this record. The record should be sent to the Head teacher's PA, London Academy of Excellence Tottenham by post or email (Shelia.Pyke@laetottenham.ac.uk).

Name of complainant: _____

Name of student at LAET (if applicable):

Please give **full details** of your Formal Complaint.

Please suggest the **proportionate and reasonable** action that LAET can take to resolve your Formal Complaint

If you would like to do so, please continue on a separate sheet or attach a letter to this Formal Complaint Record.

Appendix B– Roles and Responsibilities

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Head Teacher

The Head Teacher will:-

- ensure that the complainant is fully updated for all complaints from stage 3 of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- ensure the office administrator keeps accurate records;
- be aware of issues regarding:-
 - sharing third party information;
 - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role includes:-

- providing a comprehensive, open, transparent and fair consideration of the complaint through:-
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - consideration of records and other relevant information;
 - interviewing staff and children/young people and other people relevant to the complaint;
 - analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint will make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;

- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (Clerk to the Governors)

The Clerk is the contact point for the complainant for the panel meeting and is expected 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;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator (Head Teacher).

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel 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.
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;
However, it must be recognised that 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.

- many complainants will feel nervous and inhibited in a formal setting; Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing; Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend. The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.