



COMPLAINTS PROCEDURE

In Marsh Academy, all the staff are dedicated to providing all the students with the best possible education and will aim to care properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that the Academy and parents should work in partnership, each carrying out their particular responsibilities to help the students gain the most from their time at the Academy.

If you feel that something is not occurring quite as you would like it to be, or we are doing something you are unhappy with, or not doing something you feel we should, **PLEASE TELL US ABOUT IT.**

In the first instance, parents/carers should discuss any concerns informally with their child's Tutor, or the particular teacher most closely concerned with the issue.

If, after doing this you do not feel that your concern had been properly addressed, or if your concern is about a particular teacher, please discuss the matter informally with an Assistant/Vice Principal. If after these discussions with your child's Tutor or an Assistant/Vice Principal you remain dissatisfied and wish your complaint to be considered further you should refer your complaint to the Complaints Coordinator, who is a designated member of the Senior Leadership Team. Upon receipt of your complaint the Complaints Coordinator will arrange for the matter to be fully reviewed and for a response to be sent to you within 10 working days. This response may invite you to a meeting to discuss the matter further and to try to achieve a satisfactory resolution.

If you remain dissatisfied and feel your complaint has not been properly addressed through these earlier discussions you can indicate that you wish your complaint to be referred to the Principal. Upon a complaint being referred to the Principal she, or in his absence her nominated deputy, will arrange for a separate investigation into the circumstances of your complaint to be completed and a response will be sent to you within 10 working days. This response may invite you to a meeting to discuss the matter further and to try to achieve a satisfactory resolution.

If after doing this you are still not satisfied with our actions or decisions, you can address a **formal complaint** in writing to the Governors of Marsh Academy, by contacting the Clerk to the Governors at the Academy. At this point your formal letter of complaint should briefly set out the main circumstances and reasons for your complaint, together with the reasons you remain dissatisfied by earlier discussions and attempts to resolve the matter.



These various stages of our Complaints Process are set out in more detail below for ease of reference.

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many can be resolved quickly and informally to the satisfaction of all parties and wherever possible this is what we endeavour to do. The experience of the first contact between the complainant and the Academy can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedure, they know what to do when they receive a complaint.

The Academy respects the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Complaints Co-ordinator, a member of the Senior Leadership Team, can refer the complainant to another appropriate staff member. Where the complaint concerns the Principal, the Complaints Co-ordinator can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complainant to another appropriate staff member. This member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step is to refer the complainant to the Complaints Coordinator so that an appropriate member of staff can be identified to consider the complaint. In normal circumstances governors will not be involved at the early stages of complaints in case they are needed to sit on a Complaints Panel at a later stage of the procedure.

The role of the Complaints Co-ordinator is to ensure fair and impartial consideration of all complaints and to ensure that complainants are provided with a well considered response to their concerns within the appropriate timescales. Complainants can contact the Complaints Coordinator to discuss the progress of their complaints or to indicate they wish their complaints to be considered further at the next stage.. The Complaints Coordinator will maintain a record of all complaints which are referred to him/her and ensure that all correspondence, statements and records of any such complaints are kept confidential. Upon reference of any complaint to the Complaints Coordinator a response will be sent to the complainant within 10 working days (see above).

Stage Two: Complaint Heard by Principal

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage One as well as pursuing their initial complaint. The complainant should be advised by the Complaints Coordinator of their right to have the matter considered at Stage Two. The Principal may delegate the task of undertaking a further investigation, or of collating all the relevant information to another staff member but not the decision on the action to be taken. Upon reference of any complaint to the Principal a response will be sent to the complainant within 10 working days (see above).

Stage Three: Complaint Heard by Governing Body Complaints Appeal Panel

If still dissatisfied after Stage 2 the complainant will be advised of their right to make a **formal complaint** by writing to the Chair of Governors at Stage Three. The letter to the Chair Governors should set out details of the complaint together with reasons for the complainants continued dissatisfaction.

Upon receipt of a formal complaint the Chair of Governors, or a nominated governor, will arrange for all information on the complaint to be collated and will convene a Governing Body Complaints Panel within 20 working days. None of the members of the Complaints Panel will have been directly involved in any previous consideration of the complaint. One of the members of the Complaints Panel will be independent of the management and running of the Academy.

The appeal hearing by the Governors' Complaints Panel is the last Academy-based stage of the complaints process and will review the earlier stages of the process together with any additional information that is available.

Individual complaints are not 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 complainant will be invited to the appeal hearing of the Governors Complaints Panel and will be given at least 7 days notice in writing of the time and venue of the hearing. Complainants will also be advised that, if they wish, they may be accompanied to the appeal hearing by an appropriate friend or adviser.

The Remit of The Complaints Appeal Panel

The Governors Complaints 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 similar problems do not recur.

Governors or any independent members of the Appeals Panel, will keep certain points clearly in mind:

a. 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 Complaints Panel if they have had a prior involvement in the complaint in question or in the circumstances surrounding it. Members of the Complaints Panel who feel their independence might be compromised in this or any other way must draw this to the attention of the Chair of Governors. 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.

b. The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it is recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. In some cases 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.

c. Extra care needs to be taken when the complaint directly concerns a student. The Complaints Panel needs to be aware of the views of the student and give them equal consideration to those of adults. Where the student's parent is the complainant, the panel will provide the parent with an opportunity to discuss which parts of the hearing, if any, it might be helpful for the student to attend.

d. The governors sitting on the Complaints Panel need to be fully aware of this complaints procedure.

Roles and Responsibilities

The Role of the Clerk to the Governors

The Clerk to the Governors is the contact point for the complainant at Stage 3 and required to:

- set the date, time and venue of the hearing, ensuring where possible that the dates are convenient to all parties and that the venue and proceedings are accessible;



- ensure that the Complaints Panel is convened within 20 working days of the notice of formal complaint being received unless all parties agree to any further deferral;
- 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 and outcomes of the hearing;
- notify all parties in writing of the panel's decision and any recommendations within 20 working days of the hearing;
- ensure that copies of all the written records of the hearing are included on the Complaints Coordinators confidential file and record of complaints.

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

The Nominated Governor role:

- check that the correct procedure has been followed;
- if a hearing is required, notify the Clerk to arrange the panel;

The Role of the Chair of the Panel

The Chair of the Complaints Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- any friend or adviser accompanying the parent/complainant is advised of their role and how the panel will arrange for their contribution to proceedings;
- 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
- one member of the panel is independent of the management and running of the school;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The Chair of the Panel needs to ensure, via the Clerk of the Governors, that the complainant is notified of the panel's decision and any recommendations, in writing, within 20 working days. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

