



# Aspirations Academies Trust

in association with AUI and QISA

## COMPLAINTS POLICY

<b>Date of last review:</b>	April 2015	<b>Review period:</b>	2 years
<b>Date of next review:</b>	April 2017	<b>Owner:</b>	AAT DFO
<b>Type of policy:</b>	Network	<b>LAB or Board approval:</b>	Board

## Complaints Policy

### 1. Principles

The academy should attempt to resolve problems informally wherever possible. An effective response and appropriate redress is provided swiftly and simply.

### 2. Statutory obligations

- Complainants must be aware that there is a complaints procedure and copies of this policy will be available on request.
- If the process results in an appeal to the local advisory body (see below), this procedure is statutory.<sup>1</sup>

### 3. Dealing with complaints

- a) At each stage, the person investigating the complaint will ensure that they:
  - Clarify the nature of the complaint and unresolved issues
  - 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
  - Keep notes of the interview(s)
- b) At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:
  - An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)
  - An apology
  - An explanation
  - An assurance and an explanation of the steps that have been taken to ensure that it will not happen again
  - An undertaking to review academy procedures in light of the complaint

### 4. Records

All complaints will be recorded, including informal complaints. Staff are responsible for ensuring that complaints and outcomes are recorded.

- Records relating to individual complaints are confidential, except where the secretary of state or a statutory body<sup>2</sup> conducting an inspection requests access to them.
- The Local Advisory Board will monitor the level and nature of complaints and review the outcomes on a regular basis.

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<sup>1</sup> Schedule 1, paragraph 7, The Education (Independent School Standards) (England) Regulations 2010

<sup>2</sup> Under section 163 of the Education Act 2002

## 5. Complaints to the Aspirations Academies Trust

Where a complaint is made direct to the Aspirations Academies Trust, it will be logged by the Head of Communications and Logistics and forwarded to the academy. The only exception to this is where the complaint relates to the conduct of the academy principal or the Executive Principal. In that situation the complaint will be overseen by the AAT Chief Executive or Executive Principal (if the complaint concerns a principal), and any subsequent appeal will be heard by a panel of three (including one member independent of the day to day running of the academy) who will represent the AAT Board. Any complaint regarding a Principal or Executive Principal received at the academy must be forwarded to the Chief Executive immediately.

## 6. Formal complaints procedure

If someone wants to make a formal complaint, they must follow the following procedure:

- a) The complainant will write to the academy Principal with details of:
  - The complaint
  - Any attempts they made to raise/resolve the complaint (who they spoke to and when)
  - Actions they feel might resolve the problem
  - Any staff they would prefer not to discuss the issue with.

The Principal will appoint an appropriate member of staff (not the subject of the complaint) as Investigating Officer. The Investigating Officer will submit a report to the Principal following a robust investigation, including speaking to all relevant parties, including the complainant, who may be accompanied. The Principal will decide on an appropriate course of action on the basis of that report, and the complainant will be notified in writing accordingly. The Principal will aim to respond within five working days of a complaint being lodged, and will notify the complainant within that timescale if that deadline is not going to be met, with reasons why. A complaint should not be delayed unnecessarily.

- b) If the complainant is not satisfied with this response, they must inform the academy in writing, with details of their previous communication and the reason why they are still not satisfied, within two weeks of receipt of the outcome letter. The Principal or delegated member of the senior leadership team will respond within five working days.
- c) If the complainant is still not satisfied, they can appeal to the local advisory body (see below). The Head of Communications and Logistics will convene a complaints panel of governors within 21 days.
- d) The AAT Director of Finance and Operations should be notified of all complaints that reach a formal stage.

## 7. Appeals

### *(a) Constitution of the panel*

The AAT Head of Communications and Logistics will convene a complaints panel:

- The panel will consist of at least three people.

- Up to three of the panel members should be members of the academy governing body, with no more than one representative of the AAT Senior Management Team.
- One member of the panel will be independent of the day to day running and management of the academy.
- No member can have been directly involved in the matters detailed in the complaint.
- The panel nominates a chair.
- Individual complaints must not be heard by the whole governing body at any stage.

*(b) Remit of the 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

*(c) Proceedings of the panel*

- The appeal will be closed to the public
- The complainant may attend and be accompanied
- Witnesses will only be required to attend for the part of the hearing in which they give their evidence
- The panel may ask questions at any point
- The panel will deliberate in private
- The panel will inform the complainants of the decision as quickly as possible and in no more than three working days
- The panels findings and recommendations will be sent to the complainant and individual complained about (where applicable) in writing (this may be email if all parties agree)
- The decision of the appeal panel is final

*(d) Role of the Head of Communications and Logistics*

The Head of Communications and Logistics will be the contact point for the complaint and will be required to:

- Set the date, time and venue of the hearing
- Collate any written material and send it to the parties in advance of the hearing
- Record the proceedings
- Notify parties of the panel's decision

This role can be delegated to an appropriate member of staff in districts where one is available.

## **8. Complaints to the DfE/EFA**

A complainant has a right, once academy processes are exhausted, and they are still not satisfied, to send their complaint to the DfE/EFA. The EFA will only normally review that the process has been followed rather than examining the substance of the complaint.

Anyone wishing to access the EFA's procedure should:

- See the complaints about academies page on the Department for Education website
- Write to Academies Central Unit (Academy Complaints), Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH
- Telephone the Department's Public Communications Unit on 0370 000 2288.

## **9. Dealing with persistent or vexatious complaints**

In the case of persistent or vexatious complaints, the chair of the local advisory body (or AAT Chief Executive where appropriate) will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

## **10. Responsible person**

The person in charge of co-ordinating the complaints at the academy is the Principal.