

Document Control Sheet

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1. PURPOSE

- 1.1 This policy aims to provide assurance that any complaint will be dealt with in a fair, transparent and timely manner with the aim of achieving a satisfactory resolution at the earliest possible opportunity.
- 1.2 The Foundation recognises the value of compliments and complaints in supporting a culture of continuous quality improvement.
- 1.3 Compliments are highly valued and will form a key part of the praise and recognition strategy for colleagues and students.
- 1.4 Suggestions received will be duly considered by either the individual Academy's Senior Leadership Team or the Foundation's Executive Leadership team, whichever is most appropriate.

2. SCOPE

- 2.1 Complaints may be made by anyone who has an interest in the work of the Foundation. This may include external stakeholders, students, students' families, or members of the public.
- 2.2 This procedure covers all complaints about the provision of services or facilities that the Foundation provides, with the exception of the following, for which there are separate procedures in place:
 - Statutory Assessment of Special Educational Need (SEN)
 - Staff grievance or disciplinary procedures
 - Exclusion
 - Whistleblowing
 - Complaints against other providers using Foundation premises.

3. MAKING A COMPLAINT

- 3.1 To enable proper investigation and timely resolution, complaints should be brought to the attention of the Academy as soon as possible, and normally no later than 3 months after the event that gave rise to the complaint.
- 3.2 The Foundation reserves the right not to investigate complaints received later than 6 months after the event, where it appears reasonable and fair not to do so.
- 3.3 Personal information and any records relating to the complaint will be treated in confidence and in accordance with the Data Protection Act. Information will only be disclosed to those people who need to know to conduct the complaint process or where the Secretary of State or body conducting an inspection requests access to them (as per s.109 of the 2008 Education and Skills Act).

4. STAGE 1: INFORMAL CONCERNS

- 4.1 In the first instance, any issue or problem should be raised as soon as possible with the individual concerned informally. This may be a Leader, Teacher, or support colleague.
- 4.2 Informal concerns may be in person, via letter, email or a telephone call in the first instance.
- 4.3 The individual managing the informal concern on behalf of the Academy will be expected to attempt to have initial dialogue with the complainant, within 3 school days wherever possible.
- 4.4 It is anticipated that most issues can be resolved informally through discussion. All colleagues across the Foundation are professionals who want to ensure they are providing the best service possible.
- 4.5 The Academy concerned will make every effort to resolve the problem. Issues or concerns resolved in this way may be noted to support planning for professional development or to assist with trend or pattern spotting but will not be recorded as a formal complaint.
- 4.6 If the matter is not resolved in this way then the complainant may wish to use the formal complaints procedure.
- 4.7 If the complaint relates to a generic concern about the Academy it should be addressed to the Headteacher/Principal.

5. STAGE 2: FORMAL COMPLAINTS

- 5.1 Formal complaints should be made in writing to the Headteacher/Principal of the Academy concerned and should include:
 - The nature of the complaint
 - The date on which the incident occurred
 - Contact information to include address and daytime telephone number
 - Whether anyone else was affected or witnessed the incident
- 5.2 Receipt of the complaint will be acknowledged within 5 working days.
- 5.3 The complaint will be delegated to an appropriate member of the Academy's Senior Team to be investigated.
- 5.4 It is anticipated that the investigation will be concluded and an outcome provided to the complainant within 10 working days of receipt of the formal complaint, including, where appropriate, details of the proposed resolution. There may be occasions where an investigation takes longer to conclude. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale

- 5.5 Anonymous complaints will be logged, however the Foundation reserves the right not to investigate except in extreme circumstances where the safety of a child may be compromised.
- 5.6 Whenever possible and if requested, the identity of the complainant will not be disclosed in the course of the investigation. However, complainants are advised that full confidentiality cannot be guaranteed. Students and parents can, however, be assured that nothing will appear in their academic records to indicate that they have made a complaint.
- 5.7 If a complaint concerns the conduct of the Headteacher/Principal, stage 2 of the complaints procedure will be led by the CEO, or their Delegate. If the complaint concerns the CEO or a member of the Executive Team then stage 2 of the complaints procedure will be led by their line manager. If the complaint concerns a member of the Local Governing Body, stage 2 of the complaints procedure will be led by the Chair of the Board of Trustees of the Foundation. A complaint concerning the Board of Trustees of the Foundation should be sent to the Clerk to the Board who will determine the most appropriate course of action depending on the nature of the complaint.
- 5.8 It is anticipated that the investigation into any complaint dealt with under 5.7 will be concluded and an outcome provided to the complainant within 10 working days of receipt of the formal complaint, including, where appropriate, details of the proposed resolution. There may be occasions where an investigation takes longer to conclude. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale

6. STAGE 3: APPEAL

- 6.1 If a complainant is dissatisfied with the response to their complaint, they may seek a review by the Academy's Headteacher/Principal within 5 working days of receipt of the initial outcome.
- 6.2 Receipt of the Appeal will be acknowledged within 5 working days.
- 6.3 The appeal should:
- state the reason for the complaint
 - clearly explain what steps have been taken to try to resolve the complaint by the Academy and why this has not been satisfactory
 - outline the desired outcome being sought
- 6.4 The appeal is likely to be heard by the Headteacher/Principal, or other Senior Leader who has not had prior involvement in the resolution of the complaint.
- 6.5 The Foundation reserves the right to vary the authority hearing the appeal, in exceptional circumstances.

- 6.6 The Headteacher/Principal will provide a summary of their findings and recommendations to the complainant and, if relevant, the person complained about. It is anticipated that an outcome will be provided to the complainant within 10 working days of receipt of the Appeal, including, where appropriate, details of the proposed resolution. There may be occasions where the appeal takes longer to conclude. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale
- 6.7 If a complaint concerns the conduct of the Headteacher/ Principal, stage 3 of the complaints procedure will be led by the Chair of the Local Governing Body. If the complaint concerns the CEO, member of the Executive Team or a member of the Local Governing Body then stage 3 of the complaints procedure will be led by a Trustee of the Foundation. A complaint concerning the Board of Trustees of the Foundation should be sent to the Clerk to the Board who will determine the most appropriate course of action depending on the nature of the complaint.
- 6.8 A summary of the findings of the appeal heard under clause 6.6 and recommendations made will be provided to the complainant and, if relevant, the person complained about. It is anticipated that an outcome will be provided to the complainant within 15 working days of receipt of the Appeal, including, where appropriate, details of the proposed resolution. There may be occasions where the appeal takes longer to conclude. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale.

7 STAGE 4: FINAL APPEAL

- 7.1 In the event that the complainant remains dissatisfied, they may make a final appeal to the Academy's Governing Body, via the Clerk to the Board, again within 5 working days of receiving the appeal response.
- 7.2 Receipt of the Final Appeal will be acknowledged within 5 working days.
- 7.3 The appeal is likely to be heard by a panel of three governors/independent individuals who were not directly involved in the matters detailed in the complaint. At least one member of the appeal panel should be independent of the running of the Academy.
- 7.4 The Foundation reserves the right to vary the authority conducting the appeal, in exceptional circumstances.
- 7.5 The complainant may be accompanied by one individual only at the hearing should they wish.
- 7.6 The final appeal will be considered on grounds of:
- Failure to comply with the Academy's own procedures

- Failure to comply with the Equality framework

It is anticipated that the outcome of the Appeal Panel's findings and recommendations will be provided to both the complainant and, where appropriate the person being complained about, within 15 working days. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale

- 7.7 If a complaint concerns the conduct of the Headteacher/ Principal, stage 4 of the complaints procedure will be heard by a panel of three governors/independent individuals who were not directly involved in the matters detailed in the complaint. At least one member of the appeal panel should be independent of the running of the Academy. If the complaint concerns the CEO, member of the Executive Team or a member of the Local Governing Body then stage 4 of the complaints procedure will be heard by a panel of three trustees/independent individuals who were not directly involved in the matters detailed in the complaint. At least one member of the appeal panel should be independent of the running of the Foundation. A complaint concerning the Board of Trustees of the Foundation should be sent to the Clerk to the Board who will determine the most appropriate course of action depending on the nature of the complaint.
- 7.8 It is anticipated that the outcome of the Appeal Panel's findings and recommendations will be provided to both the complainant and, where appropriate, the person being complained about, within 15 working days. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale.

8. STAGE 4a TRUSTEES' REVIEW

- 8.1 If the complainant is not satisfied that their complaint has been considered properly and reasonably by the Local Governing Body, then this issue can be raised with the Sir John Brunner Foundation within 5 working days of receiving the final appeal response
- 8.2 Receipt of the request for a Trustees review will be acknowledged within 5 working days.
- 8.3 Trustees will carry out a desktop review on the Academy's adherence to the procedure and thoroughness of the investigation.
- 8.4 It is important to note that this stage is not a general right for any complainant who disagrees with the governors' decision, a re-hearing or an opportunity for new information to be presented. Trustees will not overturn a decision of the Local Governing Body when due process has been applied. Should Trustees find that due process has not been applied, they will make a recommendation to the Governing Body that this element of the complaint be reconsidered.

- 8.5 The complainant should write to the Chair (via the Clerk of the Sir John Brunner Foundation, Monarch Drive, Northwich, CW9 8AF).
- 8.6 The Panel will consist of at least three Trustees who were not directly involved in the matters detailed in the complaint.
- 8.7 A desk top review of the complaint will take place and the review panel, via the Clerk to the Trustees, will aim to write to the complainant and, if relevant, the person complained about, with details of their findings and any recommendations within 15 school days of receipt of the request for final review. Any delay should be communicated to the complainant and an explanation provided of the reason for not responding within the anticipated timescale
- 8.8 If the complaint concerns the Board of Trustees of the Foundation the Clerk to the Board will determine the most appropriate course of action depending on the nature of the complaint.

9. MONITORING OF COMPLIMENTS AND COMPLAINTS

- 9.1 Academies will maintain a log of all reported formal compliments and complaints, regardless of whether they are upheld or not, together with the stage they were resolved, the actions and outcomes
- 9.2 Each Academy's Governing Body will be presented with a report detailing all complaints and compliments, at least on an annual basis.
- 9.3 An annual summary report will be presented to the Foundation Board summarising any trends.
- 9.4 Details of complaints will be available for inspection on the school premises by the Foundation's Trustees, Executive Team, and the Headteacher/Principal of the Academy concerned.

10. EXTERNAL REVIEW

- 10.1 The Foundation anticipates all complaints will be resolved satisfactorily via the procedures outlined in this policy. However, anyone wishing to escalate a complaint about an Academy, which has not been satisfactorily resolved through this complaints procedure, should contact the Department for Education using their online form.
- 10.2 The Department for Education ensures that the Foundation handles the complaint properly by following a published procedure and will not change the Foundation's decision about a complaint.