



Complaints Policy



The
Birkenhead Park
School

Adopted by Board: 19 March 2019
Review Period: 3yr
Review Date: March 2022
Person responsible for policy: Clerk

COMPLAINTS POLICY

This policy should be used in conjunction with The Education (Independent Institution Standard) Regulations 2010, Part 7, which outlines the provisions for complaints with Academies.

Introduction

The majority of issues raised by parents or students are concerns rather than complaints. BePART Educational Trust is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without recourse to formal procedures. The prime aim of the Trust's policy is to resolve the concern as fairly and as speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

Policy

- The institution will listen to all concerns, complaints and suggestions and view them as opportunities to improve the quality of the service provided
- Complaints brought by staff should be investigated using the Grievance procedure and not this Complaints Policy.
- Anonymous complaints will not be considered.
- The institution will retain a written record of all complaints and whether they were resolved at informal, formal or panel level.
- All written records, statements and correspondence relating to an individual complaint will be treated confidentially. The institution is required however to make these records available to the Secretary of State or a body conducting an inspection under Section 162A of the 2002 Education Act.
- Written information sent out to a complainant may be either electronic or hard copy.
- At each stage of the complaints procedure, the member of staff responsible will consider the seriousness of the complaint and how the complaint may be resolved. In order to bring the complaint to a satisfactory resolution, it may be appropriate for the member of staff to offer:
 - an explanation
 - an apology
 - reassurance of steps taken to prevent recurrence of the relevant events
 - reassurance that the institution will review its policies in light of the complaint
- The purpose of this procedure is to identify all of the facts that are pertinent to the complaint so that it can be resolved to the satisfaction of the complainant. However there may be occasions when despite all stages of the procedure being followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Principal/Headteacher or Chair of the Governing Body may inform the complainant in writing that the procedure has been exhausted and the matter is now closed.
- The complaints procedure sets out the time limits for each stage of the complaints process. However, where a complaint is of a particularly complex nature or further investigations are required to ascertain facts, new time limits may be set. The complainant will be sent details of any changes to the deadlines with an explanation for the delay.
- A copy of the Complaints Policy can be found on BePART Educational Trust's and the institution's website.

BePART Educational Trust complaints procedure has four main stages:

Stage 1 – Informal

- Most concerns and complaints can be satisfactorily resolved at this stage. It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the institution can be crucial in determining whether the complaint will escalate. To that end, staff should be made aware of the procedure so that they will know what to do when they receive a concern or complaint.
- The institution requests parents make their first contact with their son's/daughter's designated Tutor or a senior member of staff. It is expected that most issues would be resolved within **5 working days**. Should this informal stage require more time, then the institution will inform the complainant of this in writing as soon as this is known. Should initial discussions appear unlikely to resolve matters, either party may initiate a move to Stage 2.
- A copy of the institution's Complaints Policy will be forwarded to the complainant at this stage.

Stage 2 – Formal Written Complaint heard by Member of Staff

- Formal complaints should be put in writing and addressed to the Headteacher or Principal. Details of the complaint will be logged, including the date it was received. The Headteacher will designate a senior member of staff to investigate the complaint. The institution will acknowledge receipt of the complaint within **5 working days** and provide a target date for providing a response to the complaint, normally within **15 working days**. If the target cannot be met, a letter should be written, explaining the reason for the delay and provide a revised target date.
- A meeting may be convened to discuss the matter further. This meeting will take place within **15 working days** of the receipt of the formal complaint. Once all the facts have been established, the member of staff considering the complaint will produce a written response or may wish to meet the complainant to discuss/resolve the matter directly. If it is felt that the matter is too serious to be dealt with at this stage, then the matter will be immediately escalated to Stage 3.

Stage 3 – Formal Written Complaint heard by Principal or Headteacher

- If the complainant is dissatisfied with the way the complaint was handled at Stage 2, they may proceed to Stage 3. The Principal or Headteacher may delegate the task of collating information to another staff member but not the decision on the action to be taken. The same timings will apply as in Stage 2. Should the complainant not accept the findings, they can appeal and escalate the complaint to Stage 4.
- If the complaint is about the Principal or Headteacher, then the Chair of the Trust Board will hear the complaint at Stage 3. If the complainant is unhappy with the outcome at Stage 3, then the Trust Board will hear it.

Stage 4 – Formal Written Complaint heard by the Local Governing Body (LGB)

- If still dissatisfied, the complainant should write full details of the complaint to the Clerk of the LGB within **15 working days** of the receipt of the outcome at the previous stage and request that their complaint be referred to the Chair of the LGB. The Clerk should write to the complainant within **5 working days**, acknowledging receipt of the written request for the complaint to be heard.
- A meeting of the LGB will be convened within **15 working days**, comprising three Governors who have not previously been involved in the complaint and have no personal or pecuniary interest. One of the members must be independent of the management and running of the institution.
- The findings of the Local Governing Body are final.

Further Recourse for Complainants

- Where a complainant feels that a complaint has not been resolved by the institution, on-line complaint forms (*Department of Education* for Institutions and *Education Funding Agency* for Academies) can be completed at <https://www.gov.uk/complain-about-institution/state-institutions>. It should be noted that DfE or EFA will not consider a complaint unless the Trust procedure has been fully exhausted.

Monitoring, Evaluation and Review

BePART Educational Trust will review this policy every three years and assess its implementation and effectiveness.

The institution will submit to the Local Governing Body at the beginning of each new Academic year, a Complaints Report summarising all complaints from the previous Academic year.