



Shireland Collegiate Academy Trust Policy

# Complaints Policy

<b>Committee and Date Approved</b>	Trust Board – 8 <sup>th</sup> December 2021
<b>Category</b>	Statutory – DfE
<b>Next Review Date</b>	Annually unless change in legislation – Autumn 2022
<b>Policy Availability</b>	Trust Website
<b>Officer Responsible</b>	CEO

The Trust, all Academies within the Trust and Shireland Learning Limited must comply with this policy.

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## Introduction

Shireland Collegiate Academy Trust is committed to providing high-quality services. Complaints are essential to help us review and further develop our services. We aim to achieve the highest standards.

## Definition of a Complaint

A complaint is an expression of dissatisfaction, about the standards of service, actions, or lack of action by Shireland Collegiate Academy Trust and/or its Academies.

## Principles and Values

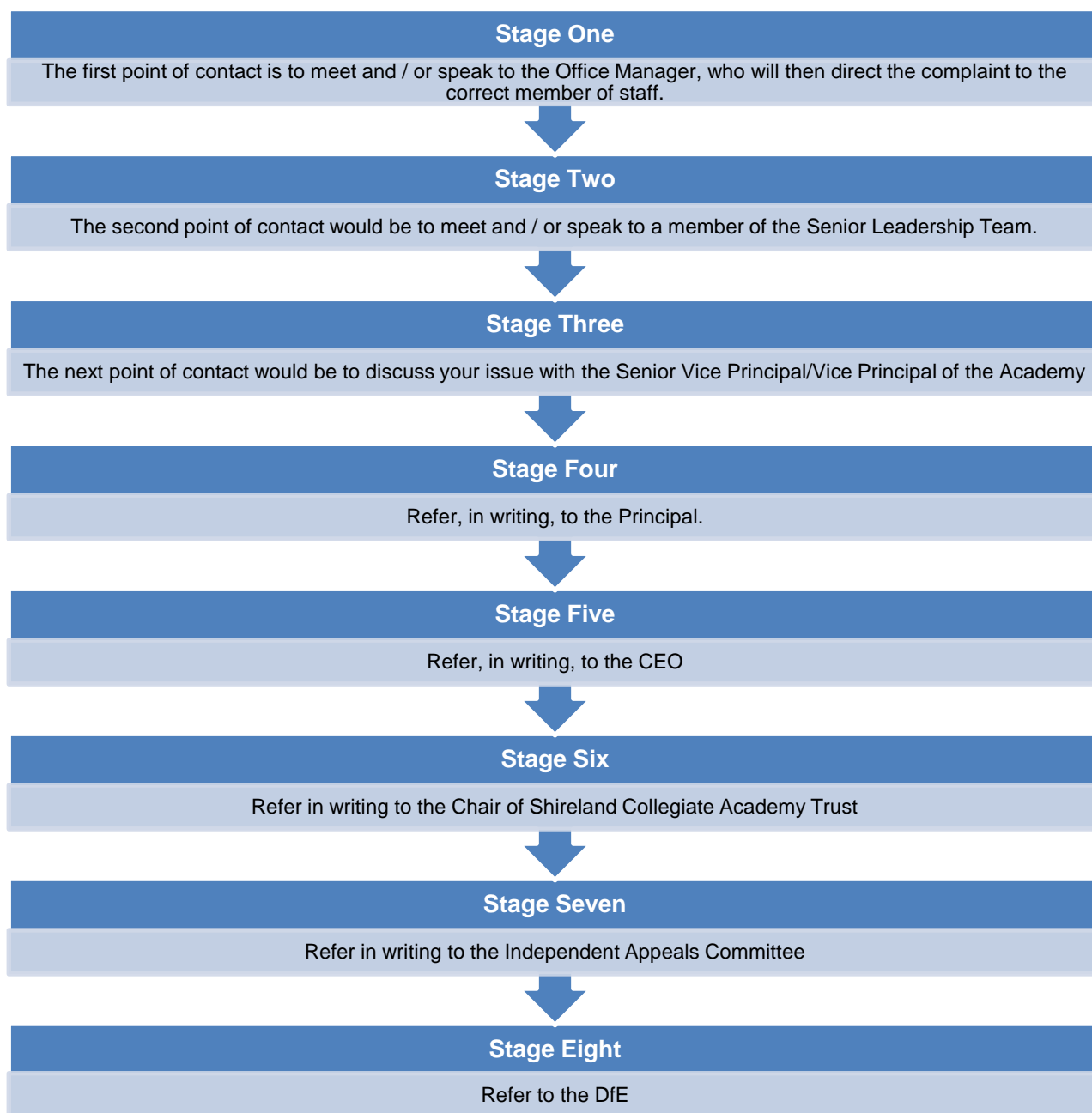
Our main aim is to deal with complaints openly, fairly, promptly and without prejudice.

Our procedures for dealing with complaints will;

- Be simple to understand and follow
- Be focused on outcomes
- Keep people informed at all stages
- Where necessary, respect people's desires for confidentiality
- Be carefully monitored and evaluated
- Provide information to the senior leadership team so that the Academy's procedures can be improved.

The complaints procedure will follow a staged approach which is designed to ensure that every effort is made to deal with complaints in partnership with our community.

## Making a complaint about an Academy or a member of its staff



**Any person expressing continued dissatisfaction should be advised on the next stage in the procedure.**

**Depending on the seriousness of the complaint, the Academy may choose to refer the complaint to any later stage of the process.**

### **Stage One: Discuss concerns with the Office Manager**

- All issues reported to the Office Manager will be logged and followed up within 10 working days.
- The Office Manager will refer the complaint to the appropriate member of staff.
- Complainants will be advised to speak to the Head of Year, Head of Department or Pastoral Manager, so everyone has a clear picture of the situation from all points of view.

- The member of staff who is dealing with the complaint should ensure that the complainant is reassured that the matter will be investigated and is clear what action has been agreed. All parties should be aware of the need for confidentiality.
- A brief record of any telephone calls, meetings and agreed actions should always be kept, although it is not always necessary to provide the complainant with a written record at this stage.
- If either the complainant or staff member feels the matter needs to be taken further, this will be referred to Stage 2.

### Stage Two: Discuss concerns with a Senior Member of Staff

- More serious concerns which remain unresolved at the end of Stage One will be referred to a Senior Member of Staff. He / She will then investigate the matter further.
- A log of all contacts in relation to the complaint should be kept.
- The Senior Member of Staff will communicate the outcome to the complainant either verbally or in writing, within 10 working days from receipt of the referral from Stage One. The Senior Member of staff or the Complainant can refer the matter to Stage 3.

### Stage Three: Discuss concerns with the Senior Vice Principal/Vice Principal

- Senior Vice Principal/Vice Principal will investigate the matter further. If, as a result of the investigation, issues arise relating to staff discipline or capability, **details should remain confidential to the** Senior Vice Principal/Vice Principal. The complainant must be informed of the other action the Academy has taken within 10 working days from the communication with the member of the Senior Leadership Team or the Office Manager or the Complainant.

### Stage Four: Make a complaint to the Principal

- A complaint to the Principal can only be made once all previous avenues have been explored.
- The complaint should be in writing to Principal at the Academy address
- The Principal will deal with this within 10 working days of the receipt of the complaint.
- If Complainant is still unhappy the next stage will be to be referred to CEO of the Trust.

### Stage Five: The complaints can be referred to the Chief Executive Officer

- The CEO should only proceed with this stage of the process if they have received a complaint in writing.
- The CEO will deal with this within 10 working days of the receipt of the complaint.
- If the Complainant is still unhappy, the next stage will be to be referred to the Chair of Shireland Collegiate Academy Trust.

### Stage Six: Refer to the Chair of the Shireland Collegiate Academy Trust

- The Chair of the Trust should only proceed with this stage of the Complaint Procedure if they have received a complaint in writing.
- It is essential that this process is fair and objective. Any member of Shireland Collegiate Academy Trust Board who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue.

- If the Complainant is still unhappy, the next stage will be to be referred to the Appeals Committee of the Trust.
- The Chair of Shireland Collegiate Academy Trust will deal with this within 10 working days of the receipt of the complaint.

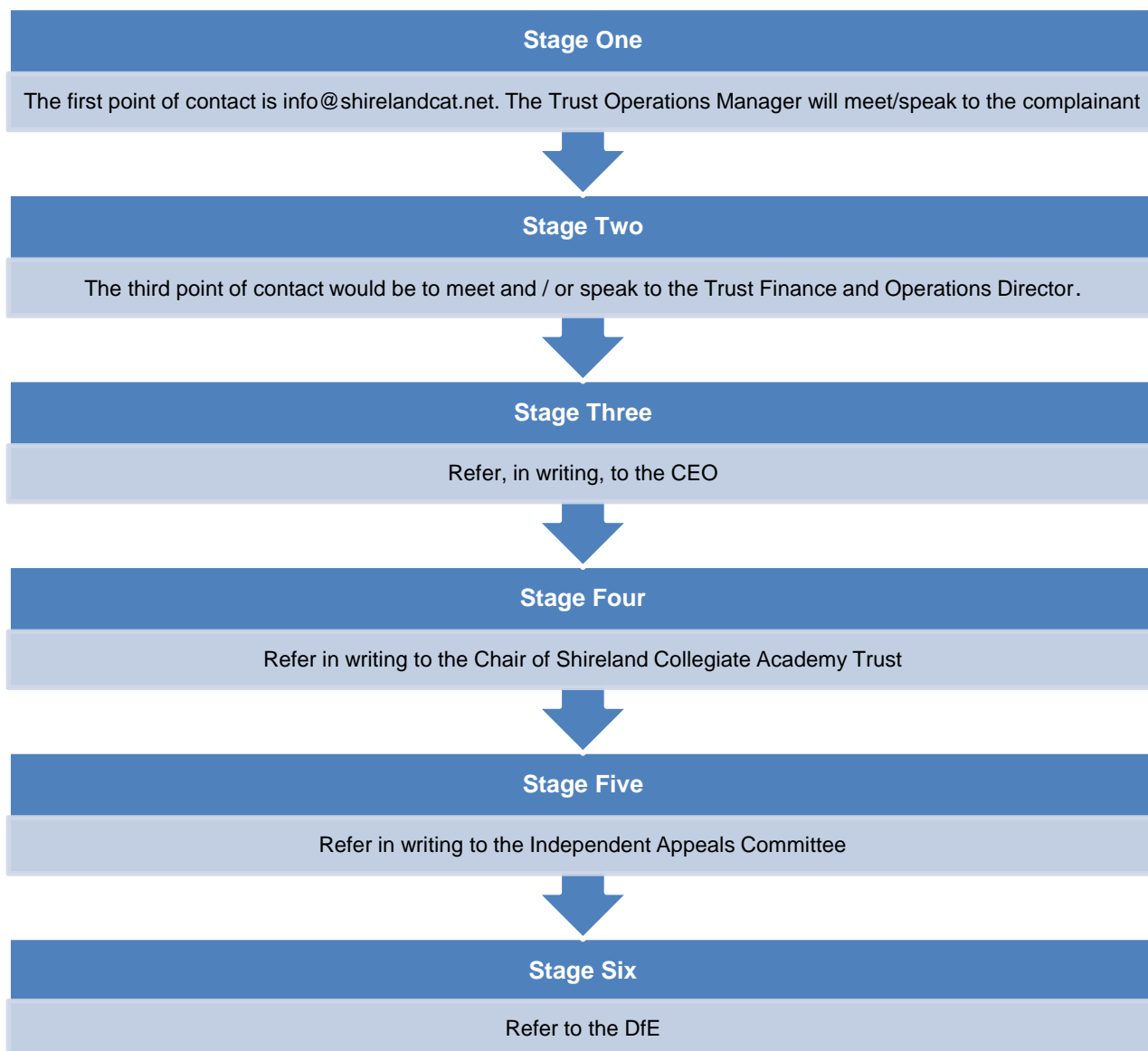
### Stage Seven: Refer to Appeals Committee of Shireland Collegiate Academy Trust

- It is for the Trust to agree upon the procedures for the Appeals Committee meeting. However, the Trust will usually convene a small panel of three – five independent members who have not previously been involved in the complaint. This will be dealt with within 10 working days of the complaint being received. At least one of these members will not be involved in the management or running of the school.
- The Chair of the panel should notify the CEO and the complainant as to whether they will be invited to attend the panel meeting. Alternatively, the panel may decide to consider written material only. Both parties must be treated equally. For example; if the CEO is invited to the meeting, so must the Complainant.
- If the complaint relates to staff disciplinary or a capability matter about which the CEO has already taken action, the members should focus on how the original complaint was managed to avoid prejudicing any on-going disciplinary or capability procedures.
- If they so wish the Complainant may attend a panel meeting and be accompanied by one other individual.
- The CEO, Complainant and where relevant the individual person being complained about, will be informed of the panel's decision in writing within ten Academy working days. These decisions / findings will also be available for inspection by the Academy Principal on site.
- The Complaints Panel's decision is final.
- All correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

### Stage Eight: Refer to the DfE

If the Complainant believes that Shireland Collegiate Academy Trust acted “unreasonably”, they can complain to the Secretary of State in the Department for Education under Section 496 of the Education Act 1996. Please note that “unreasonable” is used in a strict sense and means acting in a way that no reasonable Academy or Authority could act in the circumstances. The Complainant should write to The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

## Making a complaint about the [Shireland Collegiate Academy Trust](#) or a member of its staff



**Any person expressing continued dissatisfaction should be advised on the next stage in the procedure.**

**Depending on the seriousness of the complaint, the Trust may choose to refer the complaint to any later stage of the process.**

### **Stage One: Report your complaint to [info@shirelandcat.net](mailto:info@shirelandcat.net) and discuss concerns with the Trust Operations Manager**

- All issues reported to [info@shirelandcat.net](mailto:info@shirelandcat.net) will be logged and followed up by the Trust's Operations Manager within 10 working days.
- The Operations Manager should ensure that the complainant is reassured that the matter will be investigated and is clear what action has been agreed. All parties should be aware of the need for confidentiality.
- A brief record of any telephone calls, meetings and agreed actions should always be kept, although it is not always necessary to provide the complainant with a written record at this stage.

- If either the complainant or Operations Manager feels the matter needs to be taken further, this will be referred to Stage 3.

### **Stage Two: Discuss concerns with the Trust Finance and Operations Director**

- More serious concerns which remain unresolved at the end of Stage Two will be referred to the Trust Finance and Operations Director. He/She will then investigate the matter further.
- A log of all contacts in relation to the complaint should be kept.
- The Trust Finance and Operations Director will communicate the outcome to the complainant either verbally or in writing, within 10 working days from receipt of the referral from Stage Two.
- The Trust Finance and Operations Director or the Complainant can refer the matter to Stage 4.

### **Stage Three: The complaints can be referred to the Chief Executive Officer**

- The CEO should only proceed with this stage of the Complaint Procedure if they have received a referral from the Trust Finance and Operations Director at the end of Stage Two.
- The CEO will deal with this within 10 working days of the receipt of the complaint.
- If Complainant is still unhappy, the next stage will be to be referred to Chair of Shireland Collegiate Academy Trust.

### **Stage Four: Refer to the Chair of the Shireland Collegiate Academy Trust**

- The Chair of the Trust should only proceed with this stage of the Complaint Procedure if they have received a referral from the CEO at the end of Stage Three.
- It is essential that this process is fair and objective. Any member of Shireland Collegiate Academy Trust Board who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue.
- If the Complainant is still unhappy the next stage will be to be referred to the Appeals Committee of the Trust.
- The Chair of Shireland Collegiate Academy Trust will deal with this within 10 working days from when the referral is provided by the CEO.

### **Stage Five: Refer to Appeals Committee of Shireland Collegiate Academy Trust**

- It is for the Trust to agree upon the procedures for the Appeals Committee meeting. However, the Trust will usually convene a small panel of three – five independent members who have not previously been involved in the complaint. This will be dealt with within 10 Academy working days of the referral from the previous stage of the process. At least one of these members will not be involved in the management or running of the Trust.
- The Chair of the panel should notify the CEO and the complainant as to whether they will be invited to attend the panel meeting. Alternatively, the panel may decide to consider written material only. Both parties must be treated equally. For example, if the CEO is invited to the meeting, so must the Complainant.
- If the complaint relates to staff disciplinary or a capability matter about which the CEO has already taken action, the members should focus on how the original complaint was managed to avoid prejudicing any on-going disciplinary or capability procedures.



- If they so wish the Complainant may attend a panel meeting and be accompanied by one other individual.
- The CEO, Complainant and where relevant the individual person being complained about, will be informed of the panel's decision in writing within ten Academy working days. These decisions / findings will also be available for inspection by the CEO of Shireland Collegiate Academy Trust on site.
- The Complaints Panel's decision is final.
- All correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

### **Stage Six: Refer to the DfE**

- If the Complainant believes that Shireland Collegiate Academy Trust acted “unreasonably”, they can complain to the Secretary of State in the Department for Education under Section 496 of the Education Act 1996. Please note that “unreasonable” is used in a strict sense and means acting in a way that no reasonable Academy or Authority could act in the circumstances. The Complainant should write to The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.