



**LEADING THE WAY**  
FOR GENERATIONS

Complaints  
Policy

Academic Year

2020-2021

## Introduction

Academies are required to have published a procedure for dealing with complaints. This procedure must provide for complaints to be managed within clear timescales. If initial informal consideration does not resolve the complaint, then the procedure must also include steps to escalate a complaint through a formal mechanism.

Most complaints will be from parents of pupils who attend the academy schools within Stanley Learning Partnership and this procedure is primarily focused on the resolution of these complaints. It is nevertheless possible that there will be complaints from other parties in relation to the academy schools and Partnership as a whole.

In general, the principles of this procedure will apply to all complainants although inevitably the issues which are raised may differ and will be treated appropriately.

## Aims and Objectives

The Partnership will give careful consideration to all concerns/complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any concern/complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding. The Partnership will respect people's desire for confidentiality, wherever possible although some information sharing may be necessary to carry out a thorough investigation.

## Procedures

**Stage 1 - Informal Stage:** Any problem or concern should be raised promptly. Concerns should be discussed initially with a class teacher or other relevant member of the academy school staff responsible for the area or action you are concerned about.

The Academy School considers any concerns very seriously and most problems can be resolved at this informal stage, however it is important that you tell us straight away.

It is important, even at an informal stage to provide a deadline of response and should the matter be forwarded to the Headteacher or appropriate staff member, then we feel that the informal response to the complainant be made by no later than 3 days after the informal complaint was raised.

**Stage 2 – Formal Complaint:** If you feel that your concern has not been resolved at the informal stage, you need to follow the formal complaint process as detailed below.

If you would like the concern formally investigated by an appropriate person from the Partnership, please submit your complaint in writing to the Partnership.

If you would like help to submit a written complaint, the Partnership will be happy to provide the assistance of someone unconnected with the complaint.

If the matter is about:

- the day-to-day running of each Academy School

- the interpretation of Academy School policies
- the actions of staff at each Academy School, it will be initially investigated by the Headteacher/ Head of School or another senior member of staff.

If the matter is about:

- the Headteacher of an Academy School, it will be investigated by the Chair of the Local Governing Body or a person nominated by the Chair of the Local Governing Body.

If the matter is about:

- Stanley Learning Partnership policies
- the actions of a Local Governing Body of a School within the Partnership
- the actions of the Chief Executive Officer

the matter will be considered by the Chair of the Trustees of Stanley Learning Partnership or one or more of the Trustees of Stanley Learning Partnership.

The person(s) carrying out the investigation will review the way in which the complaint has been handled by the Academy School or Partnership in general and ensure that the issues have been dealt with properly and fairly. The aforementioned person(s) will normally write to the complainant with the outcome of this process within 15 Academy school days of receiving the complaint.

**Stage 3** – Formal complaint to the next level (consideration by a Panel) If you are not satisfied with the result from Stage 2, you may choose to refer your complaint to Stage 3 of the procedure.

This must be done in writing to the Operations Director of Stanley Learning Partnership and sent to the Head Office within 15 Academy days of the completion of Stage 2.

At this Stage, the complaint will be considered by a panel comprising Trustees or members of the Local Governing Body (depending on who undertook the initial investigation at the previous stage).

The Local Governing Body / Trustees will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. They will make a final decision about the case and will determine whether the complaint has received fair and proper consideration within the Partnership's procedure. If they have any concerns, they may direct that further investigation takes place. The complainant will be kept informed of any delay.

Where the complaint is considered by a panel of Trustees/Local Governing Body members, this will comprise of persons who have no detailed prior knowledge of the complaint, and will have no connection with the complainant.

There will also be one independent person who is independent of the management or governance of the academy.

The meeting will normally take place within 15 Academy School days of your request.

Complainants will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if they wish, to present their case.

The Headteacher, Head of School or Chief Executive Officer will be given the same opportunities.

The complainant will be informed of the date, time and place of the meeting. The letter will also explain what will happen at the meeting. As a general rule, no new evidence or witnesses previously undisclosed should be introduced into the meetings by the complainant at this stage.

The decision of the panel will normally be communicated to the complainant within 15 Academy School days of the meeting.

The decision taken at Stage 3 is final. For most complaints this decision will be the last step in the process.

#### **Stage 4 – Appeal to the Secretary of State**

If you are still not satisfied and feel that your complaint has not been investigated fairly, you may wish to put your complaint to the Secretary of State for Education clearly stating your grounds for your appeal. Contact details for the Secretary of State can be found at [www.education.gov.uk](http://www.education.gov.uk)

The Secretary of State will not usually investigate complaints until the Partnership's own complaints procedures have been exhausted.

### **General Principles of dealing with complaints**

Written records will be kept of all complaints and their outcomes, whether they were resolved at the preliminary stage, when a complaint is submitted in writing or whether they proceeded to a panel hearing.

The person(s) who will investigate the complaint may take statements from other persons where it is considered helpful or where their evidence would be material to the complaint. All correspondence, statements and records of complaints will be kept confidential but will be available for inspection by the Proprietors of the Partnership (i.e. the Academy partnership) or the Headteacher. All correspondence, statements and records relating to individual complaints are also to be made available, upon request, to the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act.

Complaints from employees, where they concern employment matters, will be treated as a grievance or will be dealt with through other procedures where they fall outside of the scope of this complaints procedures.

This procedure does not cover concerns about the following, for which there are separate arrangements laid down by law:



- Matters relating to the exclusion of pupils from the Academy School where there are separate arrangements in place
- Pupil admissions
- Home to school Transport
- Certain matters concerning provision for special educational needs provision (e.g. the making of Statements of special educational needs and disability)

If it becomes apparent that the complaint warrants the use of a disciplinary or capability procedure, then the matter will be dealt with in the appropriate manner. Complainants are not entitled to know which procedure is used in such instances or the final outcome.

Any third parties that use Academy School premises for any purpose are encouraged to adopt their own complaints procedures.

The outcome of any complaint could include:

- To dismiss the complaint in whole or part
- To uphold the complaint in whole or part
- To decide on appropriate action to resolve the complaint
- To recommend changes to systems or procedures

## Exclusions to the procedure

Complaints about the following issues have their own, separate, procedures and will not be considered under this procedure

- Matters that are the responsibility of the Local Authority
- Conduct of Staff at the school
- Content of a statutory statement of special educational needs, please refer to the School SEND Policy for guidance on the SEND Complaints Policy.
- Pupils Admissions
- Pupil Exclusions
- The national curriculum and related issues including religious education
- Child Protection

Please see the end of this document (Appendix 2) for information about where to direct complaints about these issues.

## Appendix 1 - Policy on Vexatious Complaints

Stanley Learning Partnership is fully committed to the improvement of the academy schools within their partnership. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible.

Sometimes however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst it is recognised that some complaints may relate to serious and distressing incidents, the school will not accept threatening or harassing behaviour towards any members of the school community.

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include actions that are; -

- out of proportion to the nature of the complaint, or
- persistent – even when the complaints procedure has been exhausted, or
- personally harassing, or
- unjustifiably repetitious
- an insistence on pursuing unjustified complaints and/or unrealistic outcomes to justified complaints
- an insistence on pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language; or
- making complaints in public; or
- refusing to attend appointments to discuss the complaint.

If the complainant behaves unreasonable as outlined above, the Partnership will write to the complainant explaining that the complaint has been through all the stages of the procedure, that it is now exhausted and that the case is now closed.

## Appendix 2 Type of complaint Appropriate Procedure Contact

Type of Complaint	Appropriate Procedure	Contact:
Matters that are the responsibility of the Local Authority e.g. Home to School Transport, SEND	Durham County Council	03000 260000
Conduct of Staff	Partnership Disciplinary Procedures	Partnership or Appropriate Academy
Admissions	Partnership Admissions Policy	Partnership or Appropriate Academy
Exclusions	Partnership Exclusion Policy	Partnership or Appropriate Academy

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