



THE  
DE LA SALLE  
ACADEMY

# Complaints Procedure

**September 2016**

Review Date

## **Introduction**

This procedure deals with complaints made by staff, students, parents or other stakeholders. There are separate procedures to deal with staff grievances including allegations of harassment and with parental complaints about admissions and exclusions.

At each stage, possible outcomes include:

- Complaint withdrawn
- Complaint dismissed
- Complaint dealt with under another procedure
- Complaint upheld

Informal queries and complaints should be taken up directly with the relevant member of staff either verbally or in writing. Formal complaints should be addressed to the Principal in writing.

Or if a stakeholder wishes to make a complaint regarding the academy, and therefore the Principal, this should be addressed to the Chair of Governors and sent via the Clerk to the Governors at the academy address.

All complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled.

All complaints will be investigated fully, fairly and carefully and complainants will be informed of progress during, as well as at the end of each stage.

## **Purpose**

At each stage, the purpose will be to secure the resolution of the complaint to the satisfaction of the complainant. Where this is not possible, a decision will be made promptly, either to provide an outcome to the complaint or to refer the complaint to the next stage.

## **Procedure**

### **Representation**

At each stage, the complainant may be accompanied by a friend, colleague or other representative. In this case, the complainant should make their own arrangements for such representation. The representative may ask questions, confer with the complainant and make summary statements but may not answer questions on behalf of the complainant.

### **Recording**

The Principal will acknowledge receipt of a written complaint within three working days.

At each stage, the complaint will be recorded, together with the outcome and reasons for the outcome. The complainant will be informed of the outcome in writing, together with their entitlement to appeal the outcome by reference to the next stage.

Where the complaint is upheld, any action to be taken in response will also be recorded.

## **Stage 1: Informal Procedure**

The Principal will normally direct the complainant to the most appropriate member of staff to deal with it effectively. If the complainant indicates that they would have difficulty discussing the complaint with this member of staff, the Principal may direct them to another member of staff. Similarly, if the most appropriate member of staff feels they would have difficulty in dealing with the complaint objectively, the Principal may direct the complainant to another member of staff.

The member of staff to whom the complainant is referred will carry out an investigation and decide on the outcome. The complainant and the Principal will be informed of the decision and any further action that may need to be taken as a consequence of the findings.

In certain circumstances, the Principal may choose to deal with the complaint informally in person.

If the complaint has been made in writing, the Principal may choose to invoke Stage 2 of the procedure, thereby omitting Stage 1.

If the complainant remains dissatisfied with the outcome of this informal stage, they should inform the Principal in writing, including details of their complaint. The Principal will then invoke Stage 2 of the procedure.

**Stage 1 should be completed within 28 working days of receiving the complaint.**

## **Stage 2: Decision by the Principal**

Where a complaint is received by the Chair of the Governing Body, he or she will refer the complaint to the Principal to deal with unless the complaint concerns the Principal and has reached Stage 2, in which case the Chair will take the place of the Principal throughout Stage 2. Where a complaint is made to the Principal but concerns the Principal and has reached Stage 2, the Principal will inform the complainant in writing that they should direct their complaint to the Chair of the Governing Body.

In all other cases the Principal will ensure the complaint is investigated fully. The Principal may delegate responsibility for conducting the investigation to another member of staff.

The Principal will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to their satisfaction.

The Principal will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal the decision if they remain dissatisfied.

**Stage 2 should be completed within 28 working days of receipt of written complaint.**

## **Stage 3: Appeal**

If the complainant remains dissatisfied, they should write to the Chair of the Governing Body giving details of the complaint.

The Chair may be able to resolve the complaint informally at this stage, with the result that the complainant withdraws their appeal.

If this is not possible, the Chair will convene an appeal hearing by the Governors' Appeals Committee, which will not include the Chair.

## **Appeal Hearing**

The appeal will be heard by a Governors' Appeal Committee comprising at least three governors, one of whom will act as Chair of the hearing. No Governor may hear the appeal if he or she has had a prior involvement in the complaint or in the incident to which the complaint refers. At least one of the Appeal Committee will be a member who is independent of involvement in the day to day management or running of the Academy.

The complainant at the appeal may be accompanied by a friend or advisor.

The Chair of the hearing will decide the procedure to be followed, ensuring that:

- the remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption
- members of the Committee are objective and open minded, and act independently
- the complainant and any others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal though clearly structured manner with each party treating the other with respect and courtesy
- each side is given the opportunity to state their case and to ask questions
- any written material is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it
- any witnesses are only required to attend for the part of the hearing in which they give their evidence
- the issues are addressed
- key findings of fact are made

### **The hearing should generally proceed as follows:**

- Introductions and introductory comments from the Chair
- The complainant explains the complaint, followed by questions
- Any witnesses to support the complaint give evidence and are questioned
- The Principal explains the outcomes at Stage 1 if applicable and Stage 2, followed by questions
- Any witnesses to support the Principal give evidence and are questioned
- The complainant sums up
- The Principal sums up
- With the exception of the Committee members and any independent adviser they may have, all persons withdraw while the Committee reviews the evidence and decides the outcome
- The complainant and the Principal are informed of the decision

### **The Appeals Committee may:**

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on any further action to be taken
- If appropriate, recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur

The complainant will be informed by email and/or in writing within five days of the outcome of the hearing and the reasons for it, and that the decision is final.

## **Record keeping**

It is important that accurate and contemporaneous records are kept throughout the process, including any initial informal process.

Records and the outcome of all hearings should be held in a secure and confidential manner.

Copies of this complaints procedure and the outcomes of complaints and how many were resolved at the informal stage and those which progressed to the hearing stage are recorded and are made available on the VLE and from the Academy reception.

## **Resources**

None