



THE CAVENDISH HIGH ACADEMY COMPLAINTS PROCEDURES POLICY

Policy Statement Date:	Reviewed May 2016
Approval:	Full Governing Body
Review:	Legislation Change or Education Redesignation

BACKGROUND:

Cavendish High School converted to an Academy on 1st February 2014 and is known as The Cavendish High Academy. This policy was transferred and adopted as of that date.

It is the requirement of the Governing Body as an academy in England to have procedures to deal with complaints relating to the Academy and to any community facility or service the school provides. The Principal Headteacher has recommended that the Governing Body adopts, in principle, the recommendations under Section 29 of the Education Act 2002, with Academy specific procedural amendments.

On 31st July 2012 the Department for Education commenced section 45 of the Education Act 2011. The duty to consider complaints about the curriculum, sex education and religious worship in maintained schools is now the responsibility of the school. From 1st April 2012 complaints about academies not resolved by the academy would be considered by the EFA. This complaints procedure meets the requirements set out in schedule 1, part 7 of the Education (Independent School Standards) regulations 2014.

PURPOSE:

To make clear the difference between a concern and a complaint, to take informal concerns seriously at the earliest stage and to reduce the necessity to develop into a formal complaints procedure. In most cases the class teacher or individual delivering the service will be able to resolve issues with immediacy.

People may use the school complaints procedure if they believe that either the school or the governing body is failing to:

- Follow the law on charging for academy activities
- Offer only approved qualification or syllabuses
- Provide R.E. and daily collective worship
- Provide the information they have to provide
- Carry out any other statutory duty relating to the curriculum
- Act reasonably in any of the above cases

PRINCIPLES

DEALING WITH COMPLAINTS

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Principal Headteacher will have responsibility for the operation and management of the academy complaints procedure.

The procedure will:

Encourage resolution of problems by informal means wherever possible.

Be impartial and non-adversarial. If necessary a full and fair investigation by an independent person can be arranged.

Address all the points at issue and provide an effective response and appropriate redress, where necessary.

Investigating Complaints

- At each stage in the procedure the academy will keep in mind ways in which a complaint can be resolved.
- Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.
- An admission that the academy could have handled the situation better is not the same as an admission of negligence
- The procedures will identify areas of agreement between the parties and that there are no misunderstandings.

Vexatious Complaints

Complaints need to be clear and not protracted. It is recognised there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

- Complaints need to be considered, and resolved, as quickly and efficiently as possible. Realistic time limits for each action within each stage will need to be agreed.
- Should further investigations be necessary new time limits will be set and the complainant sent details of new deadline and explanation for the delay.

Formal Complaints Procedure

At each stage of the complaints procedure clarity of persons involved, what will happen and how long the procedure will take will be explained and agreed. There will be an element of flexibility should this be required.

Academy-based stages will be as follows:

- Stage One: Informal – complaint heard by staff member
- Stage Two: Formal – the complaint is put in writing to the Principal Head teacher
- Stage Three: Complaint heard by the Governing Body Complaints Appeal Panel.

Complaints panel

The complaints panel will comprise of at least 3 people who were not directly involved in the matters detailed in the complaint.

One panel member will be independent of the management running the academy. N.B. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

The complainant may attend the panel hearing and be accompanied if they wish.

The procedures will be publicised on the school web-site.

The role of the EFA

If the complaint is not resolved by the academy then the complainant can contact the EFA. The EFA will check whether the complaint has been dealt with properly by the academy. The EFA considers complaints in the following three areas:

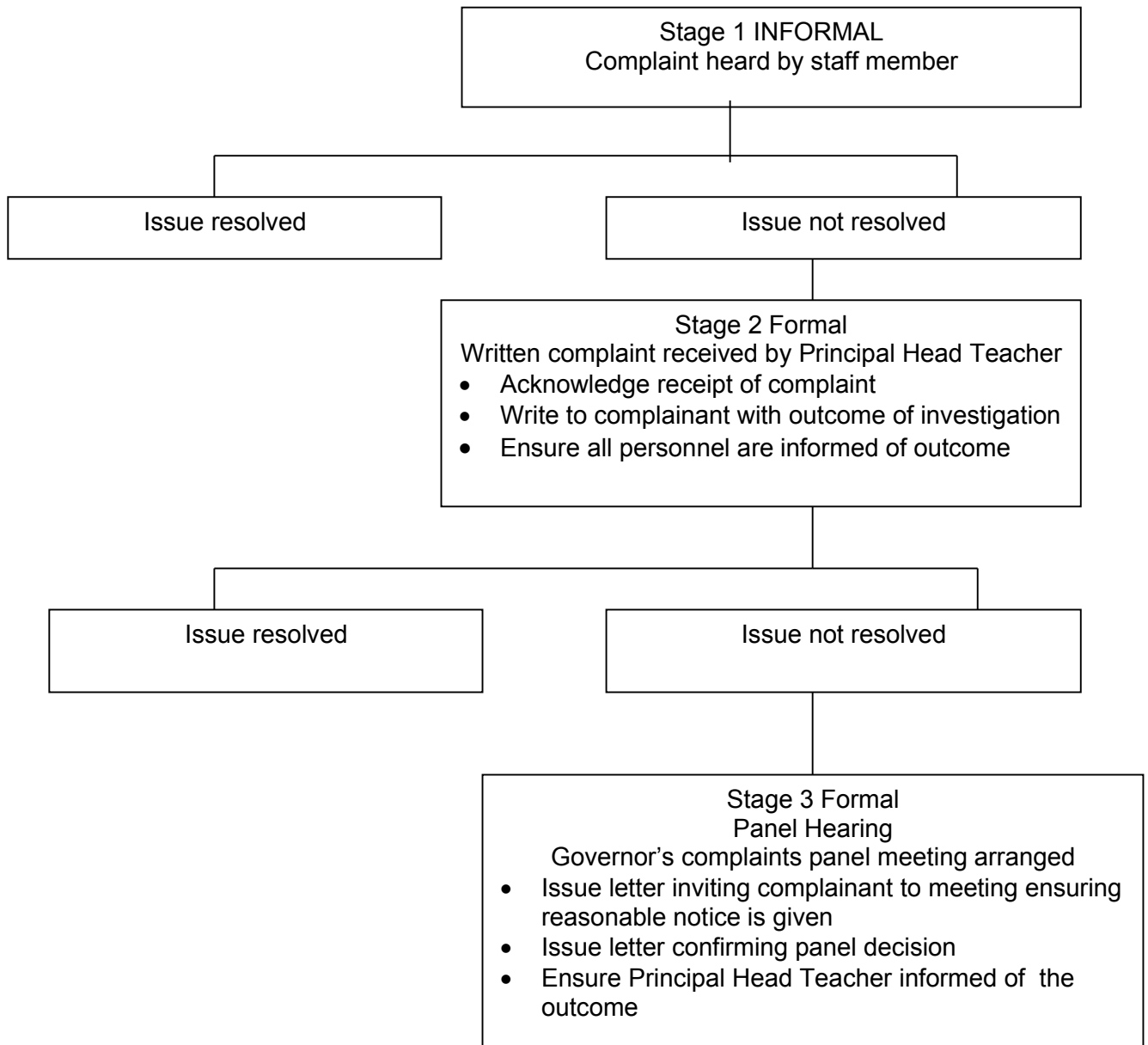
1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
2. Where the academy is in breach of its funding agreement with the Secretary of State
3. Where an academy has failed to comply with any other legal obligation.

The EFA will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

If the academy's complaints procedure does not meet the Regulations they will ask the academy to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

IN CONCLUSION

The academy complaints procedure is summarised below:



SIGNED ON BEHALF OF THE GOVERNING BODY

DATE