

# Hummersknott Academy Trust



## 13 – Complaints Policy

**Review Date: February 2023**

Adopted/V1	V2	V3	V4				
Jan 2012	Mar 14	Mar 17	Mar 20				

Hummersknott Academy Trust incorporates Hummersknott Academy and Skerne Park Academy and unless otherwise stated this policy and procedure applies to all Academies equally.

## **PURPOSE**

Hummersknott Academy Trust is committed to working in partnership with parents and the local community. We therefore believe it is important to respond to all concerns. As a result, we hope to reduce the number of concerns that develop into formal complaints.

From time to time concerns may arise which can be readily dealt with through routine dialogue with an Academy. These are not complaints. A complaint arises where a user of/visitor to an Academy is dissatisfied with the actions, decisions or policies of an Academy/the Trust and asks for a policy, action or decision to be reviewed.

## **SCOPE**

### **Dealing with Complaints – Initial concerns**

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher, or the individual delivering the service, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising, where necessary.

### **Dealing with Complaints – Formal procedures**

The formal procedure is 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.

Within Hummersknott Academy Trust the Executive Principal has responsibility for the operation and management of the Trust Complaints Policy and Procedure.

### **Framework of Principles**

Our Complaints Procedure aims to:

- encourage resolution of problems by **informal** means wherever possible
- listen to complaints, deal with them in a timely open and transparent manner , with courtesy, empathy and full communication within agreed methods of communication
- be easily **accessible** and **transparent**
- be **simple** to understand and use
- be **impartial**
- be **non-adversarial**
- allow **swift** handling with established **time-limits** for action and keep people informed of the progress
- ensure a full and **fair** investigation by an independent person, where necessary
- respect people's desire for **confidentiality**
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary
- provide **information** to an Academy's senior leadership team so that services can be improved

### **Investigating Complaints**

Where complaints are made, the person investigating the complaint will seek to ensure that they:

- establish **what** has happened so far, and **who** has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure about anything relating to the complaint or further information is necessary)
- clarify what the complainant feels would put things right

- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist with the questioning in order to achieve an outcome satisfactory to all concerned
- keep notes of the interview

### **Resolving Complaints**

At each stage in the procedure we will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that the situation will not happen again
- an undertaking to review Trust/Academy policies in light of the complaint

Where appropriate, complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Trust could have handled the situation better is not the same as an admission of negligence.

We will also seek to identify areas of agreement between the parties. It is of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### **Mediation**

Hummersknott Academy Trust can provide professional mediation to encourage complainants and the Trust to work together to resolve any differences in the best future interests of all parties. Both the Trust and the complainant must agree to this service being used. Mediators are externally sourced and therefore independent of the Trust. Should you wish to take advantage of this service please contact the Principal/Headteacher.

### **Unreasonable persistent Complainants**

The implementation of the Complaints Policy and Procedure enables the Trust to work with complainants to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the relevant Local Governing Body is required to inform them in writing that the procedure has been exhausted and that the matter is now closed.

There are also a small number of complainants who, because of their frequent contact with an Academy, hinder consideration of their or other people's complaints. Such complainants are referred to as "unreasonably persistent complainants" and, exceptionally, the Principal/Headteacher will take action to limit their contact with an Academy.

In all cases where an Academy decides to treat someone as an unreasonably persistent complainant, the Principal/Headteacher will write to tell the complainant why the Academy believes his or her behaviour falls into that category, what action will be taken and the duration of that action.

Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with a named member of staff
- Restricting telephone calls to specified days and times
- Asking the complainant to enter into an agreement about their future contacts with the Academy

Where a complainant whose case is closed persists in communicating about it, the Academy may decide to terminate contact with that complainant. In such cases, the Principal/Headteacher will fully review the complaint, but unless there is fresh evidence which affects the original decision on the complaint, it will be acknowledged and attach a copy of the letter previously sent stating that the matter is now closed.

New complaints from people who have previously come under the unreasonably persistent complaint's procedure will be treated on their merits.

### **Time-limits**

Complaints need to be considered and resolved as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

### **Related Policies**

The Complaints Policy and Procedure should be read in conjunction with the following policies:

Anti-Harassment and Bullying Policy for Students  
Anti-Harassment and Bullying Procedure for Students  
Equality of Opportunities Policy  
Equality, Diversity and Community Cohesion Policy and Guidelines  
Data Protection Policy

This policy links with values 3 - Nothing but the best for all, 5 – Taking responsibility, 8 – Moral Compass and 9 – At the heart of the community, of Hummersknott Academy Trust's Vision and Values.

### **RESPONSIBILITY**

This policy will be reviewed and updated where necessary by the Executive Principal and approved for adoption by the Board of Directors.

### **PUBLICISING THE POLICY**

A copy of this policy and related procedure will be available on each Academy's website and the X Drive/intranet, where applicable. Staff will be advised of amendments to this policy via the Staff Bulletin/Briefing and are expected to familiarise themselves with the content.

In addition, The Complaints Policy and Procedure will be publicised via:

- each Academy's prospectus
- information given to new parents when their children join an Academy within the Trust
- information given to students/pupils themselves
- documents supplied to community users including course information or letting agreements

### **POLICY STATUS**

This is a statutory policy.