

# Complaints Procedure

## Balfour Junior Academy



Approved by the Local Governing Body on 24<sup>th</sup> November 2020

Last reviewed on: September 2020

Next review due by: September 2023

# Balfour Junior Academy

## COMPLAINTS PROCEDURE

### Introduction

Balfour Junior Academy strives to provide the education and service that is second to none. However, we realise that there may be a time when something goes wrong and we fall below the very high standards we set ourselves.

This procedure sets out the framework within which the school will deal with a complaint or concern about something that has happened and we will strive to deal with it at the earliest stage possible.

This procedure should be read in conjunction with the FPTA Concerns and Complaints Policy, which can be found [here](#)

### Legal framework

This procedure is setup by the school and to implement it, it meets the standards required by [Education\( Independent School Standards \( England\) Regulations 2014](#).

### What does it apply to?

This procedure applies to all worries and dissatisfaction about any aspect of the School, the community facilities and the services we provide.

### What is does not apply to

This procedure does not apply to any decision made regarding -

Exclusions  
Admissions  
Staff matters

These matters are covered by specific polices and regulations

### Equalities Statement

This procedure complies with the requirements of the public-sector equality duty as set out in the [FPTA Equality Policy](#).

### The Procedure

The complaints procedure ensures that complaints are dealt with within the time frame specified – and as quickly and effectively as possible.

Its policy is that all issues and concerns should be resolved informally without the need for a formal process – however, it recognises that in some few cases this is not possible and therefore formal stages are required.

If the complaint is about the Head Teacher – the complainant may go directly to Stage 4 of this procedure.

At each stage, the decision letter must state clearly what the next stage of the process is and to whom the complainant should write if they wish to take their complaint further.

There will be five stages of the procedure and these will be followed by the school:

### **Informal Stage**

Where issues and concerns are brought to the attention of the person who can best resolve them. This may be the teacher or other member of school staff. They will be responded to within 3 working days.

**Formal Stage One** – A complaint in writing should be made to the member of staff dealing with the issue.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed. The complainant must be informed of this before the original 10 days has expired.

Details of how a complaint can be taken further will be included within the response.

### **Formal Stage Two**

If the complaint has not been resolved at Stage One, the complainant must write within 10 school days to the person detailed in the letter stating why they are unhappy with the proposed resolution.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed for a full response. The complainant must be informed of this before the original 10 days has expired.

Details of how a complaint can be taken further will be included within the response.

### **Formal Stage Three**

If the complaint has not been resolved as Stage 2 then the complainant may, within 10 school days, write to the Head Teacher stating why they are unhappy with the resolution proposed and indicating what resolution they would prefer.

An acknowledgement of the complaint will be sent within 5 school days and a full response within 10 school days.

If it is a complex complaint where a full response cannot be sent within the above timescales, then as an exception – an additional 5 school days will be allowed for a full response. The complainant must be informed of this before the original 10 days has expired.

### **Formal Stage Four**

If the complaint remains unresolved at Stage 3 the complainant may, within 10 school days, refer their complaint to the Chair of Governors.

The Chair of Governors will review the complaint and provide a response within 15 school days.

If the Chair of Governors decides to call a Complaints Panel, it shall consist of a minimum of three Governors who are totally independent of the issue and the complainant. The Complaints Panel shall be called to meet the timescale of 15 days.

## **Final Stage**

If the complaint remains unresolved at Stage 4, the complainant may, within 10 school days of the response being received, refer their complaint to the Chair of the Trustees stating why they are unhappy with the resolution proposed.

The Chair of the Trustees shall review the complaint and provide a response within 15 school days.

The Chair of Trustees will convene a Complaints Panel to support this review and this panel will consist of two Trustees who have not been involved in the complaint previously and one independent member unconnected with the Trust. The complainant will be invited to attend the panel and make their complaint in person, they can be accompanied if they wish.

## **Complaints Register**

The school will maintain a confidential register of all formal complaints.

Correspondence, statements and records relating to individual complaints are to 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.

Complaints that reach Stage Four will be reported to the next Local Governing Board meeting.

Complaints that reach Stage Five will be reported to the next Trust meeting.

Any Stage that is not dealt with within the required time frame will be reported to the next Local Governing Board meeting.

The Complaints Register will be reviewed twice annually by the Chair of the Local Governing Body and a report on the number of complaints in any one academic year will be made to the first Local Governing Body Meeting of the following academic year.

Recommendations from any complaints panel will be available for inspection by appropriate bodies, following all data protection and GDPR regulations.

## THE TERMS OF REFERENCE FOR A COMPLAINTS PANEL

The aim of the panel will always be to resolve the complaint and achieve reconciliation between the academy and the Complainant. The Chair of any panel will be appointed by the LGB Chair or Chair of Trustees.

The hearing will be held in private and will be clerked to ensure there is an accurate record of the panel discussion.

The panel will come to a unanimous decision based on the information and evidence presented to them ensuring that they take the complaint seriously.

The Panel may:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part and decide on the most appropriate action to be taken to resolve it.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Chair of the panel will ensure that the Complainant is notified of the panel's decision, in writing, within 5 days.

The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

# Balfour Junior Academy

## COMPLAINT FORM

*This form should be used in accordance with the FPTA Complaints Policy and Balfour Junior Academy's relevant procedure. (Available on our website or in printed format, upon request). We will respond to your complaint within the timelines outlined.*

NAME(S):	DATE:
ADDRESS:	
TELEPHONE NUMBER:	
E-MAIL ADDRESS:	
PUPIL(S) NAME(S) (if relevant)	
YOUR RELATIONSHIP TO THE PUPIL(S) (if relevant)	

*Please complete the following information in as much detail as possible for us to deal with your complaint effectively. Please use another sheet if there is insufficient space. Completed forms should be returned to the member of staff your complaint is against and/or the Head Teacher (and the Chair of Governor, if necessary) at your earliest convenience.*

DETAILS OF COMPLAINT
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SIGNED: \_\_\_\_\_

PAGE No. \_\_\_\_ OF \_\_\_\_

WHAT ACTION, IF ANY, HAVE YOU ALREADY TAKEN TO TRY AND RESOLVE YOUR COMPLAINT? PLEASE STATE WHO YOU SPOKE TO AND WHAT THEIR RESPONSE WAS.

HAVE YOU ATTACHED ANY PAPERWORK OR EVIDENCE TO SUPPORT YOUR COMPLAINT? YES/ NO\*  
IF YES, PLEASE NUMBER ALL PAGES AND STATE WHAT YOU HAVE ATTACHED:

\*delete as applicable

Signed \_\_\_\_\_

PAGE \_\_\_\_ OF \_\_\_\_

WHAT ACTION WOULD YOU LIKE US TO TAKE NEXT, TO RESOLVE YOUR COMPLAINT?

WHAT OUTCOME DO YOU HOPE TO ACHIEVE FROM THIS COMPLAINT?

SIGNED: \_\_\_\_\_

PAGE \_\_\_\_ OF \_\_\_\_

Additional pages may be attached, and each page should be signed and numbered.