**COMPLAINTS PROCEDURE**

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**WMG ACADEMY FOR YOUNG ENGINEERS**

# COMPLAINTS PROCEDURE

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| **Monitoring, Review and Evaluation: KT and Board of Governors** | | | |

1. **Introduction**

The WMG Academy for Young Engineers is committed to providing the highest quality education and pastoral support for its learners and having effective relationships with their parents/carers. The WMG Academy takes seriously any concern or complaint, and seeks to find a resolution at the earliest stage which will prevent issues escalating and lead to improvement and the enhancement of learning.

Concerns or complaints should be managed efficiently and at the appropriate level to ensure quick resolution, in a positive way with the aim to improving our systems, policy and practice. A concern that is not resolved quickly can lead to damage in our relationships, culture and ethos.

**2.0 Scope**

The complaints policy covers all areas of concern for parents and students, apart from where there are existing bodies or other procedures for dealing with the following areas:

* Special educational needs assessments should be through the SEN tribunal
* Admissions or exclusions is a specific right of appeal to the Governing Body
* Allegations of child abuse should be through the Safeguarding policy
* Complaints raised by staff members should be dealt with through the Grievance procedure.

**3.0 Principles underlining the policy:**

The WMG Academy for Young Engineers aims through this policy to:

* Encourage the resolution of concerns by informal means wherever possible
* Ensure our complaints policy is easily accessible and available to all
* Be impartial, non-adversarial and simple to understand and use.
* Ensure clear agreed time limits for actions and keeping complainants informed of progress
* Ensure a full and fair investigation
* Ensure confidentiality
* Offer an effective response and appropriate redress, where necessary
* Provide information to inform improvement within the WMG Academy for Young Engineers.

**Stage 1: Informal discussion to resolve concerns:**

The WMG Academy for Young Engineers, aims to resolve all concerns and complaints informally to the full satisfaction of those who raise them, without the need for formal procedures.

* If you have a concern about your child then you should contact your son’s/daughter’s personal tutor or the Assistant Principal to discuss them. In most instances the concern can be resolved at this stage.
* If the member of staff cannot resolve the issue then they will record the details including date, name and contact details and refer your concern to their line manager within the WMG Academy for Young Engineers. You should receive a reply to your concern within 5 working days.
* If this does not resolve the issue then you should contact a member of the Senior Leadership Team. You will receive a reply to your concern within 5 working days.
* It may be that the Associate Principal has not been aware of the concern raised prior to this point. At this stage the Associate Principal will, in most cases, resolve the matter to the satisfaction of all concerned without recourse to the complaints procedure.
* If, following a discussion with the Associate Principal, the issue has not been resolved through the informal stage then you should follow the complaints procedure as outlined below.
* If your concern relates to the Associate Principal, then you should contact the Executive Principal

**Stage 2: Formal Complaints: Procedure**

If you are not satisfied with the response at Stage 1 and wish to make a formal complaint for your concern to be formally investigated, please follow the procedure below.

* Please complete a complaint form which can be downloaded from the WMG Academy for Young Engineers website [www.wmgacademy.org.uk]or obtain one from reception on Mitchell Avenue. If you need assistance completing the form then please contact reception who will assist you.[Appendix 3]
* Acknowledgement of your complaint should be made to you within 3 working days. This will include details of what will happen next, the timescales involved and the person who will be in charge of the progress of the complaint. This will usually be a member of the Senior Leadership Team who have not been involved with the issue previously.

**Stage 3: Formal Complaints against the Associate Principal**

* If the complaint is against the action of the Principal then you should address your complaint to the Executive Principal who will take charge of the process.
* Written records will be kept of meetings, interviews, statements and telephone conversations during the investigation and will be held confidentiality by the PA to the SLT.
* In the interests of transparency, any member of staff about whom a complaint is made will be informed of the nature of the complaint during the investigation.
* The person who has been nominated to carry out the investigation will inform you of the outcome with 15 working days with a written response. This will give a full explanation and if the complaint has been upheld the reason why and what action will be taken, if any, by WMG Academy for Young Engineers
* If for any reason the investigation has not been completed within 15 working days, a written progress report will be sent to you.
* If your complaint leads to action being initiated under other procedures e.g. disciplinary action or child protection procedure, then the complaints procedure will be suspended until action under the other procedures (including appeals) have been concluded. You will be notified that this is the case and informed of the delay in the resolution of your complaint. However you will not be entitled to know which other procedures have been initiated or the outcome of these.

**Stage 4: Review by the Governing Body**

If you feel that your complaint has not been investigated appropriately or that you wish to take the complaint further then you should notify, in writing, the Clerk to the Governors at WMG Academy for Young Engineers. This should be done within 10 working days of receiving your outcome letter.

* The Clerk to the Governors will acknowledge receipt of your letter within 3 working days.
* The Chair of Governors will convene a Complaints appeal panel to consider the complaint.
* The panel should consist of 3 people who have not previously been involved with the complaint. One of these should be independent to the management and running of the WMG Academy for Young Engineers. The Clerk to the Governors will inform you of the process, the timescales involved and the person who is progressing your investigation. This will either be the Chair of Governors or a member of the panel if the Chair of Governors has previously been involved in the complaint.

In the event that a Complaints appeal panel of Governors is convened to investigate, the following procedure will be followed:

* The panel will meet within 20 working days of receiving your complaint. The panel will elect its own chair.
* The Chair of Governors will write to you to inform you , of the date, time and place of the panel meeting, at least 5 working days in advance
* You may be accompanied by a friend/advocate to the panel meeting
* The Executive Principal or Chair of governors will be asked to prepare a written response for the Panel in response to the complaint.
* All relevant documents will be sent to you and other panel members in advance of the meeting by the Clerk to the Governors.
* You will be sent notification of the outcome of the panel meeting within 5 working days of the meeting.

The details of the meeting, minutes and records will remain confidential except cases which need to be shared with people who might contribute to their resolution

The decision of the Chair of Governors or by the Chair of the Complaints appeal panel is final.

**Stage 4: Complaint procedure refereed to the Education Funding Agency**

A complainant, having been through all stages of the WMG Academy’s Complaints procedure, can ask the Education Funding Agency to review the handling of their complaint by the Education Funding Agency.

Complaints can be made to the Education Funding Agency <https://www.gov.uk/complain-about-school> or made in writing to

Department for Education

Education Funding Agency

Sanctuary Buildings

London

SW1P 3BT

**Implementation of the Complaints procedure**

Parents will be made aware of the WMG Academy for Young Engineers complaints policy and will be able to download a copy from the website or request a hard copy.

All staff members of WMG Academy for Young Engineers will be aware of the complaints procedure and understand:

* The importance of attempting to resolve problems before they become formal complaints.
* The importance of treating complaints respectfully and confidentially.
* The importance of keeping accurate and formal minutes.

**Recording of Complaints.**

The PA to the SLT will keep details of all complaints and enter them onto the Complaints Log [Appendix 4] with the:

• Date complaint received

• Nature of complaint

• Person in charge of the investigation

• Outcome of the investigation

• Date complaint response sent

• Date of closure of complaint.

The documents generated by it could be scrutinised by another body or disclosed to the complainant under the Data Protection Act 1998.

**Monitoring and Review**

This policy will be monitored regularly to assess its implementation and effectiveness. The Executive Principal will report annually to the Governing Body on the complaints received and how they have been resolved. The Governing Body will scrutinise the complaints log annually.

The policy will be reviewed by the Governing Body as per the published policy review cycle.

**Appendix 1:**

**Investigation by the Chair of Governors**

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between the parties. However, it has to be recognised that the complainant might not be satisfied with the outcome if the governors do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

In all cases, whether dealt with by the chair or the Complaints Appeal Panel, the following must be established:

* **Determine the facts**

Decisions must be made on the balance of probabilities, which means that that the evidence demonstrates that that it is more likely than not that a particular event or action occurred.

* **Identify what should have happened**

By referring to relevant policies, procedures, or using common sense, determine how the situation could have been handled. Refer to the relevant policy and procedure in your response to the complaint and, if possible, enclose a copy. If it is simply a matter of common sense then explain that this is what you would have expected to occur.

* **Identify any significant failings**

Was anything handled inappropriately in the circumstances? Significant failings mean that, in the circumstances of this case, a particular action was unreasonable. However, if there was a valid reason for that action then, even if you disagree with that reason, the action could be deemed as reasonable.

Reasonable means that a large proportion of people in that profession, job, or situation would have behaved in the same way.

* **Conclusions reached**

If it is subsequently felt that the WMG Academy for Young Engineers, its staff or governors acted inappropriately, an apology must be provided briefly outlining what will be done to put things right. It must be taken into account that those involved may have a right to their personal information kept confidential.

If it is subsequently felt that the WMG Academy, its staff or governors acted properly, then it must be confirmed that no further action will be taken however the WMG Academy will continue to support the child, the parents, the family etc., despite the decision not to uphold the complaint.

**Appendix 2:**

**Letter of Response**

Whether the complaint has been investigated by the Chair of Governors or the Complaints Appeal Panel, a written response should be sent confirming the outcome of the investigation and how this conclusion had been reached.

The following items for inclusion in the response, should be considered:

* Introduction –explaining the purpose of the letter
* Outline the complaint – use bullet points if easier
* Explain how the complaint was investigated, for example –
  + spoke with Staff
  + reviewed correspondence
  + checked WMG Academy records
  + re-examined relevant policies
  + sought advice from appropriate professionals
* Describe the conclusions – essentially, what the evidence demonstrates happened
* Address each complaint individually:
  + possibly by referring to the account of what happened that you have already provided
  + apologise, if necessary
  + explain what the WMG Academy will do next, but if the complaint was not upheld state that no further action will be taken
* End – tell the complainant where they can now take their complaint, if they are not satisfied with the response provided.

**Appendix 3:**

**Complaint Form**

***A - To be completed by person receiving the complaint***

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| --- | --- |
| Date complaint received:  Received by:: | Name of person making complaint:    Student Parent/Carer Employee  Visitor Other |

|  |
| --- |
| Organisation:  Address:  Telephone no:  Email Address: |

|  |
| --- |
| Summary of complaint (attach letter/email if applicable)  Date passed to Associate Principal:  Date passed to Executive Principal |

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| --- |
| ***B – to be completed by Principalship PA***  Date complaint received:  Date acknowledged:  (attach copy)  Recorded in complain log  Form forwarded for action/comments to:  Date: |
| ***C – to be completed by member of staff investigating complaint***  Give details of any action taken to address the complaint and attach a draft letter (or notes to be used in a letter) to be sent by the Associate or Executive Principal to the complainant advising them of the outcome of their complaint. Continue on a separate sheet if necessary.  Signed:  Date: |

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| --- |
| ***D – to be completed by Associate or Executive Principal***  Complaint resolved satisfactorily?  Yes  Date complainant advised of outcome:  (Attach copy of letter)  No  Details of further of action to be taken:  Signed:  Date: |

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| --- |
| This space should be used to record any other relevant information, e.g. if the complaint is referred to the Complaints Appeal Panel. |

**Appendix 4**