

Complaints Policy

MARINE ACADEMY PLYMOUTH POLICIES

VERSION CONTROL SHEET

POLICY NAME: Complaints Policy

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Document date	Filename	Mtg submitted	Summary of changes required
01-09-10		July PSG	New policy
01-09-11			No change
01-09-12			No change
29/4/15		Personnel	Minor formatting changes plus 3 appeals process

Informal Complaints

- i) As part of their day-to-day management of the Academy, the Principal and staff should normally deal with specific complaints in an informal manner and resolve them quickly, sensitively and to the satisfaction of the complainant.
- ii) There may be more general matters causing a degree of unease in the community that may be best handled through discussion at a Governing Body meeting. Such matters should be put on an agenda, with the consent of the Chair of the Governors, and not raised under Any Other Business. Governors will need to exercise some caution in dealing with such matters (see (ii)(f) and (g) below) but advice in individual cases can always be obtained.

Formal Complaints

i) Principles

The guiding principles behind the Academy Complaints Policy are:

1. All complaints are dealt with promptly, effectively, objectively and professionally.
2. Complainants are kept informed of progress through each stage of the procedure.
3. The main aim at all stages is to secure either that the complaint is settled or that a decision is taken to proceed to the next stage of the procedure.
4. At each stage of the complaint, full written records are kept for the guidance of those who might need to consider the complaint at a subsequent stage. The complainant must put the complaint into writing before an investigation commences. Once the complaint is in writing that is what will be investigated.
5. Interviews with staff which are carried out as part of the formal complaints procedure must be conducted on the understanding that staff have the right, if they so wish, to be accompanied by a union representative or work colleague.

ii) Procedure in Operation

- (a) All complaints must be in writing and must be referred in the first instance to the Principal for investigation unless they concern the Principal directly, in which case they must be referred to the Chair of Governors.
- (b) When a member of the Governing Body receives or has a complaint, it must be referred to the Chair of Governors who would then refer the complaint to the Principal, or, if the complaint is about the Principal, to the Director of Operations who will work under the instruction of the Chair
- (c) If the Principal cannot investigate the complaint objectively, or the complainant is dissatisfied with the Principal's response, the Chair of the Governors must be informed so that the matter can be dealt with by the Board.

(d) The Chair will arrange for the complaint to be investigated (see below), and will report back to the Principal and/or the Governors with recommendations for dealing with the complaint.

(e) Where the complaints are initially made directly by parents and others to the LA, they will refer the complainant back to the Academy unless the complaint is about the Principal when it will be referred directly to the Chair.

(f) Governors must be cautious about their involvement with complaints in case they result in disciplinary or grievance proceedings; Governors who are members of hearings committees need to 'distance' themselves from complaints in order to demonstrate their impartiality at any subsequent hearing.

(g) Complainants who remain dissatisfied following the investigations of the complaint by the Principal will be given the opportunity to put their complaint to a Committee of the Governing body.

(h) In the event that the complainant is still not satisfied there is the opportunity to proceed to a third appeal panel, which will be made up of governors and an independent member from the Local Authority

(i) Complainants will be encouraged to make use of the above procedure before referring the complaint to the Secretary of State and/or, in certain circumstances, to the Ombudsman and to a court of law.

iii) Investigating Complaints

The Investigating Officer should follow the process recommended by the DfE, i.e.

- 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 or further information necessary).
- Clarify what the complainant feels would put things right.
- Interview those involved in the matter and/or those complained of, always allowing them to be accompanied if they so wish.
- Conduct any interview with an open mind and be prepared to persist in the questioning.
- Keep notes of any interview for record.

iii) Resolving Complaints

At each stage in the procedure, efforts must be made to 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.

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- An explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review Academy policies in light of the complaint.

It may also be the case however that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

v) **Timescale**

The Academy will make every effort to respond fully to a written complaint within 20 Academy days. Where this proves unrealistic, the Academy will inform the complainant in writing, and give some estimate of how long it will take to provide a detailed response.

vi) **Role of the Governing Body**

The Governing Body will only investigate Formal Complaints. These will be complaints:

- Which cannot be investigated objectively by the Principal;
- where the complainant is dissatisfied with the Principal's response to a complaint;
- which are about the Principal.

In Summary

- Complaints are best dealt with informally.
- Formal Complaints are in writing. The Principal should deal them with wherever possible.
- Individual Governors should refer Complainants, generally to the Principal and, exceptionally to the Chair.
- The Governors will investigate complaints that are not resolved by the Academy. There are 2 levels of Board investigation.
- Governors should 'distance themselves' from complaints in case they result in formal Academy Trust Board committee hearings at which Trustees should be able to demonstrate their impartiality.
- At the second appeal panel, one member must be completely independent of the school, in this case we have an arrangement with Plymouth City Council to supply a Senior Officer to hear such cases along with other Governors who have not been previously involved in the case.

NOTES FOR COMPLAINANTS

The Academy Complaints Procedure is divided into two parts.

Informal, where the Principal and staff will try to deal with specific complaints in an informal manner and resolve them quickly and sensitively at a local level. This is how most complaints are resolved.

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Formal, where the complaint must be in writing and sent either to the Principal or to the Governing Body.

When you make a complaint under the procedure, you will be asked to put it into writing so that the Investigating Officer and all other parties are clear about the nature of your complaint.

Then:

- a) you will be told the name of the Investigating Officer
- b) the Investigating Officer will contact you
- c) the Investigating Officer will check that a fair and thorough investigation has been undertaken by the Academy
- d) the aim will be to complete the investigation within 20 Academy days
- e) a full response will be made to you in writing

In certain circumstances the Investigating Officer will carry out a full investigation including offering you an interview.

Complainants who remain dissatisfied after this investigation can take their case to a committee of the Governing Body, which they can attend to make representations on their own behalf.

Finally if still dissatisfied after the Governing Body panel, there is the opportunity to appeal to another panel, made up of Governors who have previously had no dealings with the case, plus an independent member from Plymouth City Council.