



DEBENHAM HIGH SCHOOL

A Church of England High Performing Specialist Academy



Complaints Procedure

This procedure is reviewed every two years

History of Document

Issue No	Author/Owner	Date Written/ Reviewed	Comments
Issue 1	J Upton	Sept 2013	Academy update
Issue 2	J Upton	Feb 2016	Minor amendments
Issue 3	J Upton	June 2018	No changes
Issue 4	S Martin	Sept 2020	Link to data protection policy and minor amendments.
Issue 5	S Martin	Sept 2021	Minor amendments

Availability of the Complaints Procedure

This procedure is available on request to, the **parents/carers**) of students of Debenham High School

Complaints Overview

This procedure is for the benefit of students and parents/carers of students, at the Academy. It will be relied upon in respect of **all complaints** by parents/carers made against the Academy except in respect of; **child protection allegations** where the Safeguarding Policy applies.

The Academy expects that most complaints can be resolved informally through discussion with the relevant Head of Faculty/Department or Head of Year. If this is not possible, then discussion with a member of the Senior Leadership Team will ensure they use their best endeavours to resolve any complaints or concerns that are made informally on that basis. Where appropriate or necessary this will then be dealt with by the Senior Leadership Team with any relevant staff or students.

If informal procedures fail to resolve the issue, a first formal complaint about any matter aside from the above mentioned exception, must be submitted in writing to the Headteacher and will be dealt with under this Complaints Procedure.

The letter should be submitted to the Headteacher with exact details and nature of the complaint and how they expect their complaint to be remedied. At this formal stage:-

- The Headteacher will respond within two academy days, that they have received the complaint.
- The Headteacher will undertake an investigation of the complaint.
- The Headteacher will advise of the outcome of the investigation within a maximum of fifteen academy days from receipt of the letter of complaint.
- The Headteacher will write explaining what has happened as a result of the investigation or may arrange a meeting with the complainant if necessary.

Should the matter remain unresolved at this point, a further letter explaining the exact details and nature of the complaint and how they expect their complaint to be resolved should be submitted to the Chair of Governors. At this final formal stage:-

- The Chair of Governors will respond within two academy days, that they have received the complaint.
- The Chair of Governors will undertake an investigation of the complaint.
- The Chair of Governors will advise of the outcome of the investigation within a maximum of fifteen academy days from receipt of the further letter of complaint.
- The Chair of Governors will write explaining what has happened as a result of the investigation or may arrange a meeting with the complainant if necessary.

If the complainant remains dissatisfied with the outcome following the application of the procedures outlined above, then they should make an appeal in writing to the Appeals Committee.

If the complaint remains unresolved after the exhaustion of all the above, the complainant's only recourse thereafter is to the Education and Skills Funding Agency (**ESFA**). The ESFA will not normally reinvestigate the substance of the complaints or overturn any decisions but consider whether Debenham High School has adhered to our complaints procedure or acted unlawfully or unreasonably in the exercise of their duties under education law.

Every complaint shall receive fair and proper consideration and a timely response. The Academy will do all it can to resolve the concern and to ensure that parents/carers remain confident about the quality of education their child receives at the Academy. Parents/carers can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated both seriously and in confidence.

Detailed Complaints Procedure

The Academy Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping 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.

The Academy will be clear about the difference between a concern and a complaint. The Academy will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

In general, most concerns and complaints should be satisfactorily dealt with at the informal or first formal stage of the above mentioned procedures.

Stage One - Informal Resolution

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. If parents/carers have a complaint they should normally contact their child's Head of Year or appropriate Head of Faculty/Department. In many cases, the matter will be resolved straightaway by this means to the parents/carers' satisfaction.
3. The Head of Faculty/Department or Head of Year or other relevant member of staff will make a written record of all concerns and complaints and the date on which they were received.
4. The Academy will use its reasonable endeavours to resolve any informal complaints within fifteen academy days of them being raised.

5. Should the matter not be resolved as referred to in paragraph 4 above, or in the event that the Head of Year or Head of Faculty/Department or other relevant member of staff and the parents/carers fail to reach a satisfactory resolution, then the parents/carers will be advised to proceed with their complaint in accordance with the second informal stage of this procedure.

Stage Two – Informal Resolution

6. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 1 to 5 above), then parents/carers should put their complaint either verbally or in writing to the relevant member of the Senior Leadership Team. Parents/carers should also identify how they wish their complaint to be resolved.

7. The relevant member of the Senior Leadership Team will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

8. The relevant member of the Senior Leadership Team will decide, after considering the complaint, the appropriate course of action to take.

9. In most cases, the relevant member of the Senior Leadership Team will meet or speak with the parents/carers concerned to discuss the matter and will use reasonable endeavours to speak to or meet parents/carers within fifteen academy days of the complaint being received. It is likely that for most complaints at this stage, a resolution will be reached.

10. The relevant member of the Senior Leadership Team will keep a written record of all meetings and interviews held in relation to the complaint.

Stage Three – First Formal Resolution

11. If the complaint cannot be resolved either at the informal stage (as set out in paragraphs 1 to 10 above), then parents/carers should put their complaint in writing to the Headteacher. Parents/carers should also identify how they wish their complaint to be resolved.

12. The Headteacher will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

13. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

14. The Headteacher may need to meet or speak with the parents/carers concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents/carers within fifteen academy days of the formal complaint being received. It is likely that for most complaints reaching this formal stage, a resolution will be reached.

15. The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.

16. Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision in writing, giving reasons for the decision. The decision should be provided no later than fifteen academy days from that date of receipt of the formal complaint or after speaking or meeting with parents/carers to discuss the matter (pursuant to paragraph 14 above) if applicable. The Headteacher may also arrange to meet with parents/carers to explain the decision.

17. The Academy will keep a written record of all internal formal complaints, including records of meetings and interviews held in relation to the complaint. This record will state if complaints were resolved at this formal stage.

18. Where parents/carers are dissatisfied with the outcome of the Academy's response to their formal complaint, the parents/carers have the opportunity to have their complaint considered by the Chair of Governors.

Stage Four – Chair of Governors

19. If the complaint cannot be resolved at any of the earlier stages or if the complaint is about the actions of the Headteacher then parents/carers should put their complaint in writing to the Chair of Governors. Parents/carers should also identify how they wish their complaint to be resolved.

20. The Chair of Governors will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

21. The Chair of Governors will decide, after considering the complaint, the appropriate course of action to take.

22. The Chair of Governors may need to meet or speak with the parents/carers concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents/carers within ten academy days of the complaint being received. It is likely that for most complaints reaching this final formal stage, a resolution will be reached.

23. The Chair of Governors will keep a written record of all meetings and interviews held in relation to the complaint.

24. Once the Chair of Governors is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision usually in writing, giving reasons for the decision. The decision should be provided no later than fifteen academy days from that date of receipt of the formal complaint or after speaking or meeting with parents/carers to discuss the matter (pursuant to paragraph 21 above) if applicable. The Chair of Governors may also arrange to meet with parents/carers to explain the decision.

25. The Academy will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint.

26. Where parents/carers are dissatisfied with the outcome of the Academy's response to their final formal complaint, the parents/carers have the opportunity to have their complaint considered by the Appeals Committee.

Stage Five – Appeal Hearing

27. If parents/carers seek to invoke an independent hearing following failure to reach an earlier resolution and where dissatisfied with the decision at Stage Four in respect of their formal complaint, the parents/carers may, in writing, addressed to the Chair of the Appeals Committee, request that their complaint is further considered by the Appeals Committee as appropriate for this purpose.

28. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.

29. Parents/carers must lodge their appeal in writing and within ten academy days of the date of the Academy's decision made in Stage Four of the Procedure. The parents/carers should provide a list of their complaint(s) made against the Academy and which they believe to have been resolved unsatisfactorily by the Stage Four Procedure, along with the remedies sought in respect of each. The Appeals Committee is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

30. The Clerk provides an independent source of advice on procedure for all parties.

31. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five academy days, and inform the parents/carers of the steps involved in this appeal procedure.

32. The Clerk will then endeavour to convene an Appeals Hearing as soon as possible to consider the matter, normally no later than twenty school days after receipt by the Academy of parents/carers' written notice that they wish to invoke the Stage Five Procedure, dependent upon the availability of the Panel members.

33. The Appeals Committee will consist of two members of the Academy's Governing Body who have not previously been involved in the complaint and one panel member who is independent of the management and running of the school.

34. The following are entitled to attend a hearing, submit written representations and address the Appeals:

- a. The parent/s (or, if aged over 18, the student) and/or one representative;
- b. The Chair of Governors and/or Headteacher of the Academy and/or one representative; and
- c. Any other interested person whom the Appeals Committee considers to have a reasonable and just interest in the appeal and whose contribution would assist the Committee in their decision-making. Legal representation will not normally be appropriate.

35. Where the Appeals Committee deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Appeals Committee in support of their position, including:

- a. documents in support of complaint(s),

- b. chronology and key dates relating to complaint(s), and
- c. written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Appeals Committee, along with the initial submission that was lodged by the parents/carers.

36. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Appeals Committee members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten academy days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five academy days in advance of the Appeals hearing.

37. It is for the Appeals Committee to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Appeals Committee will resolve the parents/carers' complaint immediately without the need for further investigation. Where further investigation is required, the Appeals Committee will decide how it should be carried out.

38. After due consideration of all the facts they consider relevant, the Appeals Committee will reach a decision, and may make recommendations, which it shall complete within ten academy days of the hearing. The decision reached by the Appeals Committee is final. Any decision reached that may have financial implications for the Academy will need the appropriate approval from Chair of Governors, whilst aiming to remain compatible with the decision of the Appeals Committee.

39. The Appeals Committee's findings will be sent by the Clerk in writing to the parents/carers, the Chair of Governors, the Headteacher, the members of the Appeals Committee and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Appeals Committee.

40. Should the parent remain unhappy with the outcome of the appeal, they may write to:-

ESFA – Academies Complaint and Customer Insight Unit
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

or contact the ESFA online <https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

41. The Academy will keep a record of all appeals, decisions and recommendations of the Appeals Committee on the Student's File and thereafter in line with standard retention requirements.

Data Complaints

We take any complaints about our collection and use of personal information very seriously. Anyone with concerns that our collection of personal information is unfair, misleading or appropriate, or who has any other concern about our data processing should raise it in the

first instance with the School office or our independent Data Protection Officer at data.protection@schoolschoice.org. Full details of our data processing is contained within our [Data Protection Policy](#).