



# MacIntyre Academies Venture Academy

## Complaints Policy and Procedure

<b>Person Responsible:</b>	Principal
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## Complaints Policy and Procedure

Venture Academy with support from the Local Advisory Board (LAB) have drawn up the following complaints procedure in the belief that it is important that parents and others are clear about the procedures to be followed in making a complaint and with the assurance that any complainant will be dealt with sympathetically and speedily.

Certain types of complaint are subject to statutory procedures that are separate from this general complaints procedure. These include:

- Admissions;
- Exclusions;
- Freedom of Information & Data Protection;
- Child Protection/Safeguarding;
- Statements of Special Educational Needs and EHC plans;
- Complaint by a member of Venture Academy staff.

This procedure should be read in conjunction with the DfE Guidance: Free School Complaint Procedure. <https://www.gov.uk/complain-about-school>

Aside from the areas set out above, this procedure applies to any matter which has been raised with Venture Academy as a matter of concern but which has not been capable of resolution informally and which the complainant or Venture Academy considers should be dealt with on a formal basis. Generally, it is expected that where the matter relates to a child/young person it will have been raised with the child's/young person's class teacher and a senior leader before a request is made to deal with it under this policy.

It is a precondition to the operation of this procedure that the complainant shall have made reasonable attempts to seek an informal resolution as set out in Step 1 below and shall have acted in relation to the matter in a reasonable and measured way. The Principal and/or Chief Executive Officer (CEO) shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

All formal complaints will be brought to the attention of the CEO by the relevant Academy leader. They will then make a decision on how to proceed.

All decisions and outcomes of any investigations will be reported to the LAB and a written record is kept of all complaints whether resolved at the preliminary stage or proceed to a panel meeting.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 request access to them.

### Our Complaints Procedure

We believe there is a free flow of information between home and the Venture Academy but recognise there may be times when misunderstandings arise, you may be concerned about aspects of your child's progress or you may be unhappy about a particular event or activity which you have heard has taken place. In any event it is important you do not keep a problem or concern to yourself but approach Venture Academy.

Throughout any stage of the complaint process it is expected that all parties involved in the complaint treat one another with respect and work in a transparent and constructive way.

#### Step 1 – (a) Informal discussion with the Form Tutor / Teacher

Before making a formal complaint, you must be clear about your concern and discuss this with an appropriate member of staff.

The first point of contact for a specific concern should always be the appropriate teacher. If you are not sure who is most appropriate, explain your concern to your child's class teacher, who will be able to suggest whom it is best to speak to.

The teacher will contact you to arrange a mutually convenient time to discuss your concern. The teacher will contact you to arrange a mutually convenient time to discuss your concern. This could be a telephone conversation at an agreed time.

We would expect most problems to be resolved in this informal way by a frank and open discussion, free from distraction.

Please remember that all our members of staff wish to help reassure you by listening to you and helping you to meet with the most appropriate person.

### **Step 1 (b) – Informal discussions with a Senior Member of staff and / or Venture Academy Principal**

Sometimes you may still feel dissatisfied with the outcome of your discussions and want to discuss the matter further with a Senior Member of staff or Venture Academy Principal. If you are in this situation you may wish to make an appointment with the appropriate person. An appointment will be arranged as soon as possible (usually within 10 working days).

### **Step 2 – Formal Investigation**

If, following your informal discussions you remain dissatisfied you must put your concerns in writing to Venture Academy Principal. You must set out briefly the facts and what you consider should have been done or where Venture Academy has not met reasonable expectations. There is a form attached (Appendix 1) which may help you do this.

Formal complaints are acknowledged in writing within 5 school days, summarising the complaint, next steps that will be taken and outlining the timescales. Should a meeting with the complainant be required, this will take place within 15 school days of the written complaint being received wherever possible.

An investigation will be carried out by a member of the Senior Leadership Team - made up of the Principal, Deputy Principal and Business Manager. The Investigator will decide whether a meeting with the complainant would be beneficial.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 working days of the meeting with the complainant.

Please Note : Any complaint relating to the Venture Academy Principal must be raised in the first instance with the CEO of MacIntyre Academies (or the chair of the LAB in the absence of the CEO) who will, if an informal resolution cannot be reached, designate a Trust leader to investigate in the same way as in the first stage of the formal process outlined above.

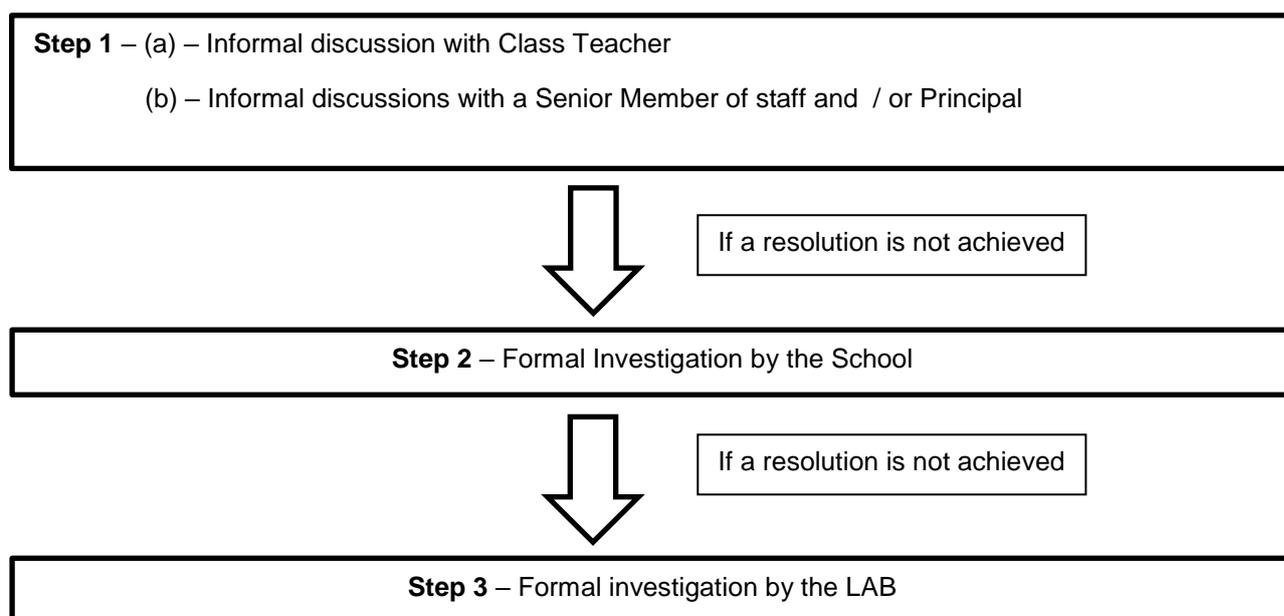
### **Step 3 – Formal investigation by the Local Advisory Board**

If the problem cannot be resolved at Step 2, you may request the complaint be considered by the Local Advisory Board.

- 3 (a) The complaint must be in writing, addressed to the LAB Clerk and be sent within 10 working days of the investigation response at Step 2.

The complaint should set out precisely why you are dissatisfied and what you wish to be done.

- 3 (b) The LAB Clerk will invite the academy to put a response in writing within 15 school days. When the academy response is received by the LAB Clerk a meeting of the Complaints Panel of the LAB will be convened. Where possible, this will be within 15 school days of the academy's response. Where no response is received from the academy the LAB panel meeting will be convened regardless. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
- 3 (c) The panel meeting will be structured but relatively informal. The process will be explained to you in advance of the meeting. New issues may not be raised at the meeting.
- 3 (d) The Panel will review all of the evidence and then decide whether the complaint is upheld or dismissed. The panel will may make findings and recommendations. Where the complaint is upheld then actions will be identified to resolve the complaint and/or recommendations made to prevent similar issues arising again.
- A copy of those findings and recommendations will be:
- (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about
  - (ii) available for inspection on the Academy premises by the Academy Trust.
- 3 (e) The LAB Panel will formulate it's response as quickly as reasonably possible, aiming to do so within 10 working days of the meeting concluding.



#### **Equality/accessibility:**

Venture Academy will make reasonable adjustments to enable people to access this process, if required, eg. meetings in accessible locations, format of written reports etc.

#### **Persistent Complaints**

##### **Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's
- complaints procedure

- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint,
- refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in
- ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the
- local process is complete
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

### **Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

### Independent process

If you feel that Venture Academy has not treated you fairly, or not done what we reasonably could, you may take your complaint to the local authority that pays for the child's/young person's place at the academy.

If your complaint is that the Venture Academy is not complying with legal regulations governing independent schools, you can contact Department for Education public enquiries on 0370 000 2288, or at [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus). The Department is happy to take information from you, but will not investigate individual complaints, only look at regulatory issues.

**Ofsted** is the official body for inspecting schools. It cannot investigate individual complaints, but you may contact them if you have a concern about the quality or safety of the academy:

Telephone: 0300 1234 234  
 Website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
 Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
 Write to: Enquiries, National Business Unit, Ofsted, 5th, 6th and 7th Floors, Piccadilly Gate, Store Street, Manchester M1 2WD

**Ofsted's Whistleblowing Hotline** may be contacted in three ways:

Telephone: 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).  
 Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk).  
 Write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

If you consider that a child/young person at Venture Academy is at risk of or being abused, you should immediately contact the Warwickshire Safeguarding Team on 01926 410410 or if it is outside working hours the Emergency Duty Team on 01926 886922.

### Recording complaints

Venture Academy will keep a written record of all complaints, which may contain the following information:

- Date when the issue was raised
- Name of person making the complaint
- Name of student(s)
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversation).

Note: Internal Complaint Tracker (Appendix 2)

### Confidentiality

Correspondence, statements and records relating to individual complaints will be kept for 3 years confidentially except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 (as amended) requests access to them, or under other legal authority.

### Compliance with legislation and guidance

This procedure has been drawn up in accordance with:

- Part 7 (paragraph 25) of Schedule 1 of the Education (Independent Schools Standards)

(England) Regulations 2010

Appendix 1



MacIntyre Academies  
Venture Academy

### Complaint Form

Your name:	Student name:
Your relationship to student:	Student date of birth & form:
Address and postcode:	Daytime telephone number:
	Evening telephone number:
Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:

<b>For Office use</b>	
<i>Date acknowledgement sent:</i>	
<i>Name of person complaint referred to:</i>	
<i>Signature</i>	Position:
	Date:

**Complaint Form Action Plan – Stage 2**

Date complaint referred to Principal:	
Date complaint acknowledged:	
Form of acknowledgement:	orally / letter ( <i>delete as appropriate</i> )
School's complaint procedure forwarded:	Yes / No
Target date for response:	
General nature of complaint:	
Date of meeting with complainant:	
Others present:	
Statements attached:	Yes / No
Witnesses interviewed:	
Pupils interviewed in presence of:	
Date:	
Records of correspondence/telephone calls etc. attached:	Yes / No
Meeting date with complainant or date letter sent:	
Written response attached:	Yes / No
Complaint referred to CEO:	Yes / No      Date: