



# King's Academy Binfield

## Complaints Policy

### Dare to be Remarkable

#### Introduction

King's Academy Binfield will provide an effective response and appropriate redress to all complaints that may be received as quickly as possible dependent upon the complexity of the issues raised. This policy is for all members of the community, including parents/carers of students at King's Academy Binfield, and people who are not parents/carers of students at King's Academy Binfield.

Investigating complaints:

The Principal's office will co-ordinate the response to complaints which go past stage 1 by requesting notes and further information from the individuals involved, as well as by communicating with the complainant.

#### Aims

Principles:

There is a difference between a concern and a complaint: -

- Concerns ought to be handled, if at all possible, without the need for formal procedures
- Complaints will be dealt with openly, fairly, promptly and without prejudice. All complaints will be dealt with in a confidential manner.

#### Responsibilities

Stages of complaint:

Complainants who have missed out stages in the procedure will be referred back to the appropriate stage.

**Stage 1** (informal): Write, meet or speak to the relevant member of staff, their immediate manager or a senior manager in an attempt to resolve the issue. Please state that you are in the informal stages of making a complaint.

**Stage 2** (formal): If not satisfied after Stage 1, write to the Complaints Officer who will pass the complaint on to the Principal, who will investigate the complaint and respond in writing within ten working days. Please use the form below for this purpose. If your complaint is about the Principal, the Complaints Officer will pass the complaint on to the Chair of Governors who will respond in writing within ten working days.

The details of the Complaints Officer is Amanda Thrower, King's Academy Binfield. Complaint forms can be returned either via main reception or via email: [binfield.reception@kingsacademies.uk](mailto:binfield.reception@kingsacademies.uk). Alternatively, please contact the Complaints Officer on xxxx

**Stage 3** (panel): If not satisfied after Stage 2, again write to the Complaints Officer who will pass the complaint onto the Governing Body who will convene a panel of three individuals to hear the complaint within fifteen working days. The panel should consist of two King's Academy Binfield Governors who have

had no direct involvement in the previous consideration of the complaint plus one person who is independent of the management and running of the academy. This must be someone such as a Governor from a neighbouring academy or someone from a local business. The panel will give a decision in writing within 24 hours of the hearing. The Principal cannot be a member of the panel as they will already have been involved in handling the complaint. The panel's decision is final. The complainant will be informed that they can attend and be accompanied at the hearing if they wish. The hearing will be clerked and an agreed written recording of the hearing will be sent to all parties concerned.

**Stage 4:** If not satisfied after having reached stage 3 and believe that the Academy has not followed its own processes, complaints relating to maladministration or the academy acting unreasonably in exercising its powers may be made to the Education and Schools Funding Agency (ESFA). Complaints relating to the quality of teaching or leadership should be referred to Ofsted and those of the maladministration of public examinations of Ofqual and/or the awarding body.

All parties involved will be notified in writing of any findings and recommendations.

Issues relating to staff discipline or capability

Details relating to staff discipline and capability must remain confidential to the Principal. The complainant should be informed that the academy has taken appropriate follow-up action.

### **Monitoring, Evaluation and Review**

All complaints which are made to the Principal's Office or taken up with the Chair of Governors will be retained indefinitely, with the notes of any investigation, academy response and outcome. An annual review of the number and type of complaints will be undertaken by the Principal as part of the cycle of Academy self-evaluation.

### **Vexatious complaints:**

There will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Principal or Chair of Governors should inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **Publicising this policy**

This policy and the responsibilities of key staff will be publicised through the parent/carers newsletter, the Binfield Review and the academy website.

### **Process of complaint should King's Academy Binfield fail in its processes**

Please contact the Education and Schools Funding Agency (ESFA) in the unlikely event that King's Academy Binfield does not comply with its own complaints procedure when considering a complaint or does not comply with statutory requirements or fails to comply with a duty imposed on it under its funding agreement with the Secretary of State. Further information can be obtained from the EFA website [www.education.gov.uk/help/contactus/efa](http://www.education.gov.uk/help/contactus/efa)

Please see their published document - Procedure for dealing with complaints about academies.

Complaints about academies should be sent:

- Via the Department for Education's academy complaints form.  
[Complaints Form - ESFA](#)

- Or by post to by post to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester. M1 2WD

## **Unacceptable Behaviour of Claimants**

King's Academy Binfield recognises that persons making complaints may feel aggrieved and that submitting a formal complaint may be the last resort after trying to resolve matters with the Complaints Officer. King's Academy Binfield is also mindful of its duty to ensure the safety and welfare of its employees.

King's Academy Binfield is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service we do not normally limit the contact complainants have with academy staff. However, Kings Academy Binfield does not expect its employees to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and will take action to protect staff from that behaviour.

When we consider that a complainant's behaviour is unacceptable, we will tell them why we find their behaviour unreasonable and we will ask them to change it. If the unacceptable behaviour continues, we will take action to restrict the complainant's contact with the academy.

The decision to restrict access to our offices will be taken by the Principal and Chair of Governors. Any restrictions imposed will be appropriate and proportionate, (as determined by the Principal and Chair of Governors). The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only)
- requiring contact to take place with a named officer
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it for example by referring their case to the EFA – see section 6.

When a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. When the behaviour is so extreme that it threatens the immediate safety and welfare of King's Academy Binfield's employees we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

## **Complaint form**

Please complete and return to Amanda Thrower, Complaints Officer who will acknowledge receipt and explain what action will be taken, either at main reception or via email on [binfield.reception@kingsacademies.uk](mailto:binfield.reception@kingsacademies.uk)

<b>Your name:</b>	
<b>Student's name:</b>	
<b>Your relationship to the student:</b>	
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>	
<b>Please give details of your complaint.</b>	
<b>What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>  <b>What outcome would indicate that your complaint had been satisfactorily dealt with?</b>	
<b>Are you attaching any paperwork? If so, please give details.</b>	
<b>Signature:</b>  <b>Date:</b>	
<b>Official use</b>  <b>Date acknowledgement sent:</b>  <b>By who:</b>  <b>Complaint referred to:</b> <b>Date:</b>	

**Date of adoption:** TBA by Governing Body

**Date for review:** Biennially

## **Annexe 1.**

### **1 Introduction.**

The Panel is set up under the Academy's "Concerns and Complaints Policy."

### **2 Aims of the Panel.**

The aim of the complaints panel, which will sit in private, is to resolve the complaint and achieve reconciliation between the academy and the complainant. The panel is independent, and it has to be accepted that it may find in favour of either the complainant or the academy.

### **3 Procedure.**

The hearing is as informal as possible, but the following steps will apply:

- a. The panel hears oral representations, unless both parties agree to proceed by written representations. In either case, the panel will sit in private.
- b. After introductions, the panel checks that both parties have seen all correspondence and other documents arising since the start of the complaint.
- c. The complainant is invited to explain their complaint.
- d. The complainant may call witnesses, who may leave as soon as their evidence has been heard.
- e. The Principal may question the complainant and the witnesses after each has spoken.
- f. The Principal is invited to explain the academy's actions and call any witnesses.
- g. The complainant may question the Principal and his/her witnesses after each has spoken.
- h. The panel may ask questions at any point.
- i. The complainant is invited to sum up their complaint.
- j. The Principal is invited to sum up the academy's actions, and its response to the complaint.
- k. Both parties leave at the same time.
- l. The panel reaches its decision based on the oral or written representations, evidence from witnesses and any other relevant documents created since the start of the complaint process. The decision will be given in writing to both parties within 5 days.

### **4 Panel Decisions.**

The Panel can:

- a. Dismiss the complaint in whole or in part
- b. Uphold the complaint in whole or in part
- c. Decide on the appropriate action to be taken to resolve the complaint
- d. Recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.