



# **Prospect School Complaints Policy**

**We have carefully considered and analysed the impact of this policy on equality and the possible implications for those with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.**

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## **1. Introduction**

Prospect School 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 Prospect School, and people who are not parents/carers of students at Prospect School.

Investigating complaints:

The Headteacher'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.

## **2. 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.

## **3. 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 Headteacher, 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 Headteacher, 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 are: Lisa Akister, Prospect School.

Complaint forms can be returned either via main reception or via email:

[enquiries@prospect.reading.sch.uk](mailto:enquiries@prospect.reading.sch.uk) . Alternatively, please contact the Complaints Officer at [lakister@prospect.reading.sch.uk](mailto:lakister@prospect.reading.sch.uk).

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 Prospect School 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 School. This must be someone such as a Governor from a neighbouring School/Academy or someone from a local business. The panel will give a decision in writing within 24 hours of the hearing. The Headteacher 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. See Appendix 1.

Stage 4: Individuals have the right to contact King's Group Academies with respect to the way their complaint has been handled. King's Group Academies will usually not take any action until the School's procedures have been exhausted. If a complainant feels the manner in which a complaint has been dealt with is unsatisfactory, he/she can refer King's Group Academies, which will consider whether the complaint has been dealt with properly by the School.

King's Group Academies can be contacted at:

The CEO  
King's Group Academies  
Lyndhurst Junior School  
Crofton Road  
North End  
Portsmouth  
PO2 0NT

Stage 5: If not satisfied after having reached stage 3 and believe that the School has not followed its own processes, complaints relating to maladministration or the School 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 Headteacher. The complainant should be informed that the School has taken appropriate follow-up action.

#### **4. Monitoring, Evaluation and Review**

All complaints which are made to the Headteacher's Office or taken up with the Chair of Governors will be retained indefinitely, with the notes of any investigation, School response and outcome. An annual review of the number and type of complaints will be undertaken by the Headteacher as part of the cycle of School 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 Headteacher or Chair of Governors should inform them in writing that the procedure has been exhausted and that the matter is now closed.

#### **5. Publicising this policy**

This policy and the responsibilities of key staff will be publicised through the parent/ carer newsletter, and the School website.

#### **6. Process of complaint should Prospect School fail in its processes**

Please contact the Education and Schools Funding Agency (ESFA) in the unlikely event that Prospect School does not comply with their 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 ESFA 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.

<https://www.gov.uk/government/publications/complain-about-an-academy/complainabout-an-academy>

Or by post to by post to:

Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester. M1 2WD

## **7. Unacceptable Behaviour of Claimants**

Prospect School 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. Prospect School is also mindful of their duty to ensure the safety and welfare of their employees.

Prospect School 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 School staff. However, we do 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 School.

The decision to restrict access to our offices will be taken by the Headteacher and Chair of Governors. Any restrictions imposed will be appropriate and proportionate, (as determined by the Headteacher 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 ESFA – 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 Prospect School 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.

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COMPLAINT FORM

Please complete and return to Lisa Akister, Complaints Officer, who will acknowledge receipt and explain what action will be taken, either at main reception or via email on [lakister@prospect.reading.sch.uk](mailto:lakister@prospect.reading.sch.uk).

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Telephone number/email address

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

What outcome would indicate that your complaint had been satisfactorily dealt with?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

## **Appendix 1.**

### 1. Introduction.

The Panel is set up under the Academy's 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 School.

### 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 Headteacher may question the complainant and the witnesses after each has spoken.
- f) The Headteacher is invited to explain the School's actions and call any witnesses.
- g) The complainant may question the Headteacher 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 Headteacher is invited to sum up the School'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.

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- d) Recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

Date of adoption: TBA by Governing Body Date for review: Biennially