



**Empowering Minds Academy  
Trust**

**Complaints Policy &  
Procedure**

Status: Statutory

Date for review: Spring Term 2022

## Policy for Hearing and Dealing with Complaints

Each academy is committed to working in close partnership with all members of the community. The academies place great value on the role which parents, carers and others can play in supporting children's learning. Staff, trustees and governors actively encourage a positive relationship between the academy and the families of children who attend it.

If, at any time, a member of the academy community has a concern about an aspect of life at the school, the concern will be dealt with as quickly, sympathetically and effectively as possible. It is hoped that most concerns will be settled amicably at this stage. However, if there is a continuing concern, this can be directed through the formal stages as outlined in the Academy Trust Complaints Procedure, detailed on the following pages.

Complaints about the Trust or the CEO should be made using the following link:

<http://empoweringmindsmat.uk/contact/>

Any complaint will then be forwarded to the Chair of Trustees.

## Academy Trust Complaints Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether the complaint will escalate. To this end all staff and governors are aware of the procedure to be followed if a complaint is raised. Also, whilst not wishing to encourage complaints, complainants should note that they have a duty to raise a matter as soon as conveniently possible. It can then be investigated more effectively whilst information is fresh in the minds of all parties.

The academies operate a 4 stage complaints procedure. If the complaint concerns the conduct of the head it will be dealt with in accordance with Stage 3.

### Stage 1 – Informal: Complaint heard by staff member

In the first instance, it is hoped that the complainant will be able to discuss the issue with the member of staff concerned.

The academy will respect the views of a complainant who indicates that he/she would have difficulty discussing the complaint with a particular member of staff. In these cases, the complainant should refer the complaint to the headteacher, who will refer it to another member of staff.

Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, the complaint will be referred to another member of staff via the headteacher. The member of staff will consider the complaint objectively and impartially.

If the first approach is made to a governor, they will refer the issue and the complainant to the appropriate person and advise the complainant of the procedure. Governors will not act unilaterally outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the process.

### Stage 2 -- Formal: Complaint heard by the head

The complainant may be dissatisfied with the way the complaint was handled at Stage 1, and/or wish to pursue their initial complaint. If so, the complainant should submit the complaint in writing, to the headteacher, within 10 academy days of Stage 1 being concluded. A copy of the complaint form is attached to this procedure.

The headteacher may delegate the task of collating information concerning the complaint to another staff member, but not the decision, nor the action to be taken. The headteacher will meet with the complainant, hear the complaint, investigate and make every effort to resolve the issue. Subsequent to this meeting the headteacher will write to the complainant summarising the outcome reached and the process for appeal.

### **Stage 3 --- Formal: Complaint heard by the chair of governors**

If the complaint cannot be resolved at Stage 2 the complainant may take their complaint to the chair of the academy committee.

The complainant will need to write to the chair of governors, care of the academy, within 10 academy days of the date of the letter notifying them of the outcome of Stage 2. The complainant should provide a copy of the written complaint, a copy of the headteacher letter concluding Stage 2 and give details in writing of why they are not satisfied with the outcome.

The chair will meet with the complainant, hear the complaint, investigate and make every effort to resolve the issue, having met with the headteacher. The chair will write to the complainant at the conclusion of this investigation with the outcome reached and the process for appeal. The complaint will move on to Stage 4 if the complainant remains dissatisfied by the outcome.

### **Stage 4 --- Formal: Complaint heard by the Academy Committee Complaints Appeal Panel**

The complainant needs to write to the chair of governors within 10 academy days of the date of the letter notifying them of the outcome of Stage 3, notifying that they wish their complaint to be heard by the complaints appeal panel. The chair, or a nominated governor, will convene an Academy Committee complaints appeal panel.

The governors' appeal panel hearing is the last academy based stage of the complaints process. Individual complaints will not be heard by the whole governing body or trustees at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. The complainant will be invited to attend either in person or remotely, dependent on the context of meeting arrangements. If the complainant does not attend, a meeting will take place in their absence.

The governing body will nominate 3 governors to have delegated powers to hear the complaint at this stage. These governors must have no previous knowledge of the complaint. The panel members will consist of one governor from the academy and the other governors of the panel will be independent of the management and running of the academy and may be trustees. The complainant is allowed to attend the panel hearing and to be accompanied if they wish. Complainants have the option of presenting a five minute verbal address to the panel at the hearing.

The panel will choose their own chair.

The remit of the Complaints Appeal Panel is to:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

Findings and recommendations will be provided to the complainant and where relevant, to the person

complained about. The complainant will be notified in writing of the panel's findings, usually within 5 days. Written records will be kept of all complaints and the outcomes of the complaints. The findings and recommendations will be available for inspection on the school premises by the proprietor and the head teacher.

All correspondence, statements and records relating to complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. The complainant should be advised that the local authority has no role unless the complaint relates to a service provided by the local authority, however should the complainant be unsatisfied with the handling of the complaint, we advise them to contact the Education and Skills Funding Agency (ESFA).

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>

## Complaint Form

Complainant's Name:	
Pupil's Name:	
Complainant's Relationship to pupil:	
Address of Complainant:	
Post Code:	Daytime Tel:
Mobile:	E-mail:
<b>Please give details of your complaint:</b>	

**What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to, when 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.**

**Signed:**

**Date:**

**Official Use:**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**