



# MacIntyre Academies Discovery Academy

## Complaints Policy and Procedure

Version	Purpose / Change	Resp	Date
V4	External weblinks checked	Principal	Jan 2021
V5	<ul style="list-style-type: none"><li>Page 2 added ....a senior leader and "sufficient support and time has been allowed to ensure an effective response/resolution,"</li><li>Page 3 – we now have 4 (3.2 FTE) Assistant Principal's</li><li>Page 3 – Addition of a short paragraph about social media and complaints</li><li>Page 6 - Addition of "We expect that whilst any complaint is in process, that all parties (including the complainant) keep the complaint and it's detail confidential in order to ensure a fair and unbiased process that is has integrity for all."</li></ul>	Executive Principal	Mar 2023

Person responsible	Principal
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Date of first draft:	July 2015
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Reviewed:	March 2023
Next review:	July 2025

## Complaints Policy and Procedure

The Local Advisory Board (LAB) of MacIntyre Academies, Discovery Academy have drawn up the following complaints procedure in the belief that it is important that parents, carers and those with parental responsibility 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 academy staff.

This procedure should be read in conjunction with the DfE Guidance: Academy 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 the academy as a matter of concern but which has not been capable of resolution informally and which the complainant or the academy considers should be dealt with on a formal basis. Generally, it is expected that where the matter relates to a child or young person it will have been raised with the child's or young person's class teacher and a senior leader and sufficient support and time has been allowed to ensure an effective response/resolution, 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 Chair of the LAB 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 decisions must be reported to the Full Advisory Board and a written record will be 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 requests access to them.

### Our Complaints Procedure

We believe there is a free flow of information between home and the 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 the academy.

**Social Media** – Comments made through social media channels either publicly, on third party websites or in closed groups will not be viewed as or dealt with under this policy as a complaint. We

strongly encourage everyone to use the steps defined below so that the correct action is taken and the right outcome is reached without interference or bias.

### **Step 1 – (a) Informal discussion with the ClassTeacher**

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 / Learning Lead , who will be able to suggest whom it is best to speak to.

It is preferable if you can agree a time and place to discuss your concerns in peace and quiet rather than at a time when the teacher is possibly surrounded by other children and/or parents. 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 the 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 the 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 the Academy Principal. You must set out briefly the facts and what you consider should have been done or where the academy has not met reasonable expectations. There is a form attached as an Appendix to the policy which may help you do this.

An investigation will be carried out by a member of the Senior Leadership Team - made up of the Principal, 4 Assistant Principals and the Business & Finance Manager- who may offer you a meeting and who will speak to others involved. Whenever reasonably possible, the meeting with the complainant will take place within 15 working days of the written complaint being received.

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 Academy Principal must be raised in the first instance with the Group Director of MacIntyre Academies Trust who will, if an informal resolution cannot be reached, designate a LAB member to investigate in the same way as in the first stage of the formal process outlined above.

### **Step 3**

If the problem cannot be resolved at Step 2, you may request the complaint be considered by the Group Director of MacIntyre Academies Trust.

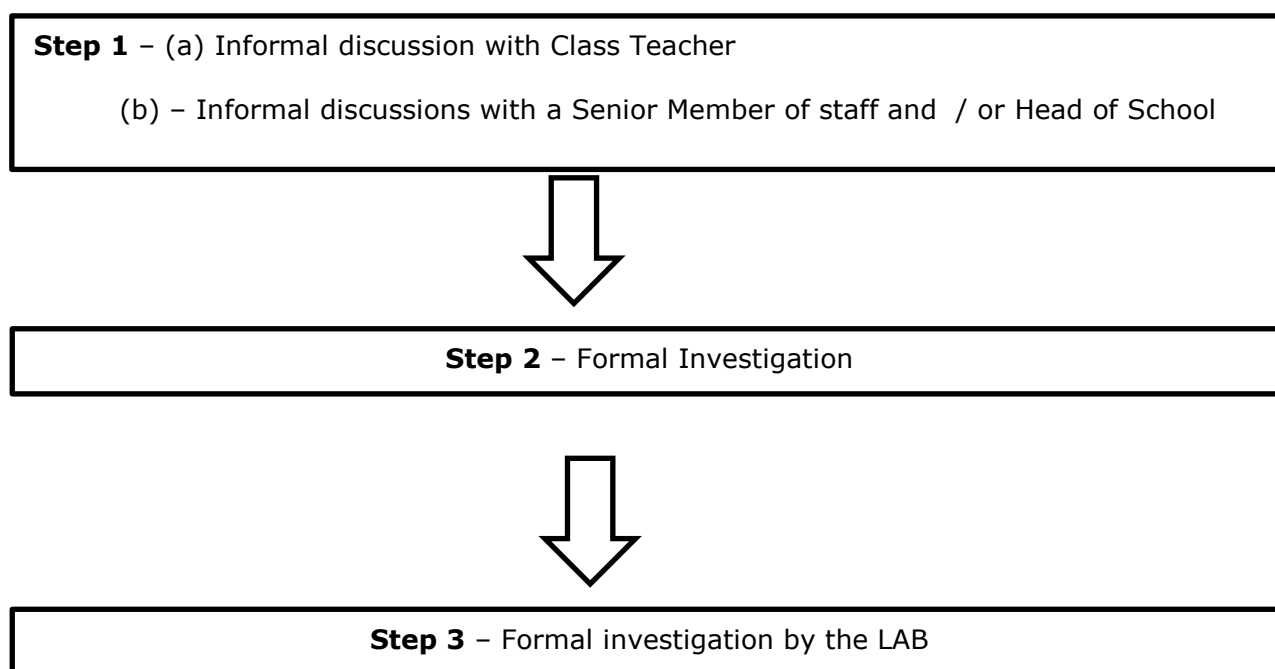
### **Step 4 – Formal investigation by LAB members**

If the problem cannot be resolved at Step 2, you may request the complaint be considered by the Complaints Panel of the LAB which will comprise of at least three people and which will include one person who is independent of the management and running of the academy.

- 3 (a) The complaint must be in writing, addressed to the Clerk of the LAB and be sent within 10 working days of the investigation response at Step 2.  
[Discovery.clerk@macintyreacademies.org](mailto:Discovery.clerk@macintyreacademies.org)

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

- 3 (b) The Clerk will invite the academy to put in writing its response to the complainant's reasons. The academy will do this within 15 working days and at the end of that period (whether or not the academy has responded) the Clerk will convene a meeting of the Complaints Panel of the LAB. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the Panel. Whenever possible, the meeting will be held within 15 working days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation is not 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 may make findings and recommendations and 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 Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 working days of the meeting concluding, and the Clerk to the LAB will notify all concerned.



## Independent process

If you feel that Discovery 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 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 School:

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 the academy is at risk of or being abused, you should immediately contact the **Warwickshire Safeguarding Team on 01926 414144** or if it is outside working hours the **Emergency Duty Team on 01926 886922**

<https://www.safeguardingwarwickshire.co.uk/safeguarding-children>

## Recording complaints

Discovery 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).

## **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.

We expect that whilst any complaint is in process, that all parties (including the complainant) keep the complaint and its detail confidential in order to ensure a fair and unbiased process that is has integrity for all.

## **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

**Discovery Academy Complaints Procedure – Appendix****Complaint Form**

If there is anything, which makes it difficult for you to tell us about your complaint, for example if English is not your first language, please tell us so that we can help you.

**Data Protection Act 1998**

The personal data that you provide will be used for the purposes of investigating your complaint and for producing statistical data, to enable the school's management to monitor access to and the effectiveness of the school's complaint procedure. The information you give will be held securely and in confidence.

**Please complete and return to the Office Manager (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.**

<b>First Name:</b>	<b>Last Name:</b>
<b>(Mr/Mrs/Miss/ Ms/Other)</b>	
<b>Your Address:</b>	
<b>Postcode:</b>	
<b>Day time telephone number:</b>	
<b>Evening telephone number:</b>	
If your complaint relates to a pupil, please give:	
<b>Pupil's name:</b>	
<b>And your relationship to the pupil:</b>	

**Please give details of your complaint.**

**What action have you already taken to try to resolve your complaint?**

**(Who did you speak to and what was the response?)**



**What would you like us to do to make improvements or put things right?**

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

**Signature:**

**Date:**