



**GURU NANAK SIKH ACADEMY LTD**  
Springfield Road, Hayes, Middlesex UB4 0LT



# Complaints Procedure Policy

Any reference in this policy to **parents** means;

- All natural, parents whether they are married or not
- Any person who has parental responsibility for a child or young person
- Any person who has care of a child or young person i.e. lives with and looks after the child

**MAT** means Multi Academy Trust

Updated	Next Review	Reviewed by	GB/ SET Ratification
March 2014		Gov. Body	
Sept. 2015		AD	GNSA Gov. Body
2016			

## **Introduction**

Guru Nanak Sikh Academy aims to be both fair and courteous and will take all concerns and complaints seriously. We recognise that there needs to be a clear difference between a concern and a complaint. All concerns are taken seriously and will be appropriately directed and handled. We aim to respond to each concern positively and confidently without the need for formal procedures.

## **Responding to an initial concern - Dealing with possible Complaints**

Concerns will be dealt with speedily and handled so as to alleviate the need to invoke a more formal complaints procedure. We aim for all concerns to be responded to within 48 hours of an acknowledgement of receipt of the reported concern. The Academy will, wherever possible, encourage staff to resolve these issues on the spot, including apologising and explaining where necessary. We will make every effort to deal with concerns/complaints informally at an early stage; however it is important that you contact us straight away. These procedures can relate to a variety of concerns/complaints by parents and student/pupils.

Section 29 of the Education Act 2002 states that '*the governing body of a school shall establish procedures for dealing with all complaints relating to the school, other than those to be dealt with in accordance with any other statutory provision*'.

The process and procedure outlined in this document and authorised by the Governing Body of Guru Nanak Sikh Academy Ltd does not cover concerns about the following, for which there are separate arrangements laid down by law:

- The school curriculum, collective worship and religious education and the provision of information required by law
- Matters relating to the exclusion of pupils from school where there are separate arrangements in place
- School admissions
- Home to school transport
- Statements and provision of special educational needs

A Member of the Senior Leadership Team will advise you on how to pursue such concerns.

In the case of complaints on matters of Religious Education and Collective Worship, there is a right of appeal to the Nanaksar Trust.

## **Guru Nanak Sikh Academy General Complaints Procedure Action to be taken by a Person Wishing to Make a Complaint**

If in responding to an initial concern the attempt to resolve the issue has been unsuccessful and the person raising the concern remains dissatisfied then they are able to request that the matter be taken further as a complaint.

## **Investigating Complaints**

Whenever a formal complaint is received it will be investigated. At this stage, the Principal, Chair of Governors or appointed officer assigned to investigate the complaint, makes sure that they:

- clarify the nature of the complaint and what remains unresolved while establishing what has happened so far, and who has been involved;
- meet with the complainant or contact them (if unsure or further information is necessary). Clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish (parents contacted if this involves other children);
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

## **Resolving Complaints**

At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

## **Dealing with Complaints – The Formal Process**

At Guru Nanak Sikh Academy Ltd our Executive Principal, Mr Sandhu, has overall responsibility for the operation and management of the school and its complaints procedure. All Complaints will be reviewed by the Principal in the first instance. At his discretion and to appropriately direct and resolve the complaint, the Principal will nominate a senior member of staff to meet with (the complainant) look into (investigate the complaint) and positively conclude (respond to and resolve) the complaint.

## **Stage 1 - The Informal Discussion**

- Any concerns should be reported to the Academy as soon as is possible. In this first instance a concern should be reported either directly to the member of staff concerned or through the Academy Office, who will appropriately help you by directing the concern to the appropriate member of staff and their direct line manager.
- The member of staff will then meet with the complainant, usually accompanied by their direct line manager, write notes and respond to the concern with the aim of resolving the issue. The first contact response to set up a meeting will be within 48 hours of an acknowledgement of receipt of the reported concern.
- The complainant will be informed of the outcome of their complaint within 5 school days of the informal meeting. They will inform you if more time is required to investigate a concern further.

Most concerns and potential complaints can best be resolved through informal discussion with the relevant member of staff. Where you feel that your complaint has not been resolved through informal discussion, then you need to complete an Academy Complaint Form (Appendix 1).

## **Stage 2 - The Formal Complaint**

### **Part a) Submitting a Complaint**

In the event of dissatisfaction with the response of the member of staff involved at the informal stage, then the complaint should be put in writing to the Principal as a complaint – please see Complaint Form (Appendix 1).

At the Principal's discretion and to appropriately direct and resolve the complaint he may nominate a senior member of staff to meet with (the complainant) to look into (investigate the complaint) and positively conclude (resolve) the complaint. This will normally be within 10 school days of the receipt of the completed complaint form (Appendix 1). The complainant will be kept informed if more time is needed to complete the investigation.

Where the original concern was about an action by the Principal, and the concern has already been discussed at the informal stage, then the Complaint Form should be submitted to the Chair of the Governing Body (stage 2 part b).

### **Part b) Complaints to the Governing Body**

Where the complainant is not satisfied with the Principal's response, contact should be made with the Chair of the Governing Body. (The name of the Chair and how to contact him/her is available from the Academy Office).

The Chair will investigate the complaint and seek to resolve the matter through discussion with the complainant and the Principal. At the end of this stage the Chair will provide the complainant with a written response. This will normally be within 10 school days, but the complainant will be informed if more time is needed.

### **Stage 3 – An Appeal Panel Hearing**

Where the complainant is not satisfied with the Principal's /Principal's delegate/ Chair's response at the end of Stage 2, the complaint can be referred as an appeal to the Clerk to the Governing Body. All details of the complaint should be referred in writing by the complainant to the Clerk to the Governing Body at the Academy's address within 10 school days.

On receipt of the complaint, the Clerk to the Governing Body will convene an Appeal Panel Hearing. This will normally be arranged within 15 school days of the complaint being received by the Clerk to the Governing Body. A Clerk will be appointed who will make notes during the Appeal Panel Hearing.

#### **Composition of the Appeal Panel**

The Appeal Panel will consist of 2 governors and 1 independent member who will be independent of the management of the Academy. Members of the Governing Body who have been involved in any of the process prior to the appeal will not be involved with the Appeal Panel Hearing.

The complainant will have the opportunity to submit written evidence on the complaint prior to the appeal hearing. The complainant may also be accompanied at the appeal panel meeting by a friend or representative if they so wish.

#### **Role of the Appeal Panel**

The aim of the hearing will always be to resolve the concern/complaint and achieve reconciliation between the Academy and the complainant. However it may only be possible to make recommendations.

The panel may:

- 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.

After the meeting the complainant will be advised of the outcome in writing. The Clerk of the Appeal Panel will write to the complainant and the Principal with the panel's decision within 5 school days.

The Decision of the Appeals Panel is binding on both parties.

In the event of the complainant not being satisfied with the decision of the Appeal Panel then there are two courses of action available to the complainant. The Department for Education identifies times at which a complaint about or to a school may need to go further. These are available to view at <https://www.gov.uk/complain-about-school> and are separated into 2 areas:

- *Complaining to Ofsted*

You can complain to Ofsted about a state school, including an Academy, if there is a problem that affects the whole school - this includes problems with the quality of education or poor management.

- *Complaining to the Educational Funding Agency*

Any concerns or complaints that have not been resolved in regards to Academies, free schools, university technical colleges or studio schools then the complainant can complain to the Education Funding Agency (EFA) if:

- there's a problem with the school's complaints procedure
- the school is not following the terms of its funding agreement

### **Complaint to the Education Funding Agency (EFA)**

The EFA will not usually investigate complaints until the Academy's own complaints procedure, including any appeal, has been exhausted.

The EFA will investigate complaints about:

- Undue delay or non-compliance with published complaints procedures
- Allegations that the Governing Body has acted unlawfully or failed to comply with a contractual duty imposed on it under its Funding Agreement with the Secretary of State or any other legal obligation.

An appeal can be made to Education Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH or by e-mail to [academyquestions@efa.gov.uk](mailto:academyquestions@efa.gov.uk) if you consider:

- The Governing Body is acting or proposing to act unreasonably
- The Governing Body has failed to discharge its duties under the 1996 Education Act.

The EFA will not usually investigate complaints more than twelve months after the decision or action was taken by the Academy.

### **Managing the complaints process**

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary. Wherever possible, complaints information shared with the whole Governing Body will not name individuals.

We are committed to on-going improvement. Therefore as well as addressing an individual's complaints, the process of listening to, and resolving complaints will contribute to school improvement, including staff support, training and development. When individual complaints are heard, we will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body helps us in evaluating our performance.

**Vexatious Complaints**

If, despite following appropriate procedures the complainant remains dissatisfied, or tries to reopen the same issue, the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

**Time-Limits**

Complaints are considered, and resolved, as quickly and efficiently as possible. We set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

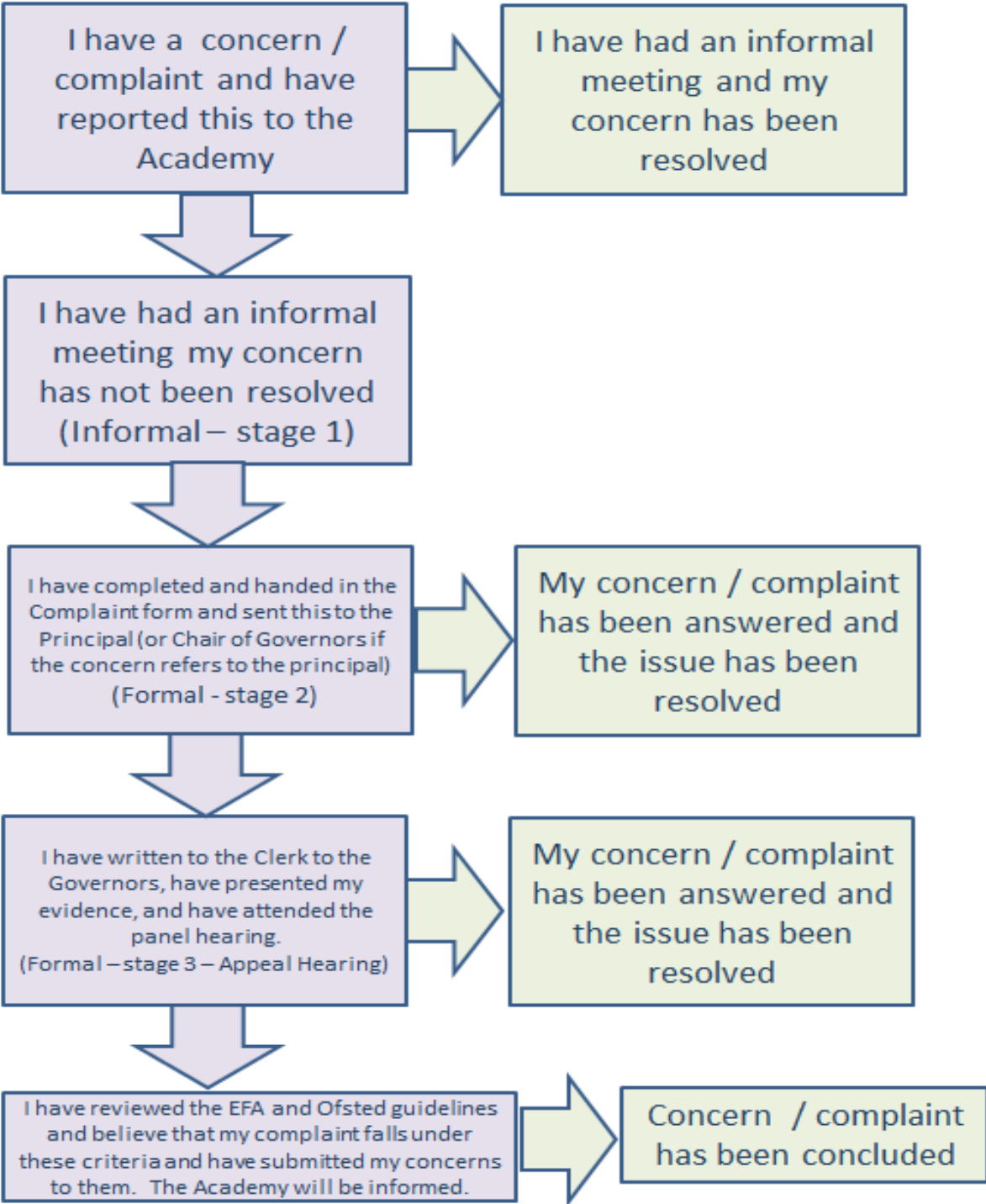
**Policy approved by:** \_\_\_\_\_ **(print name)**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

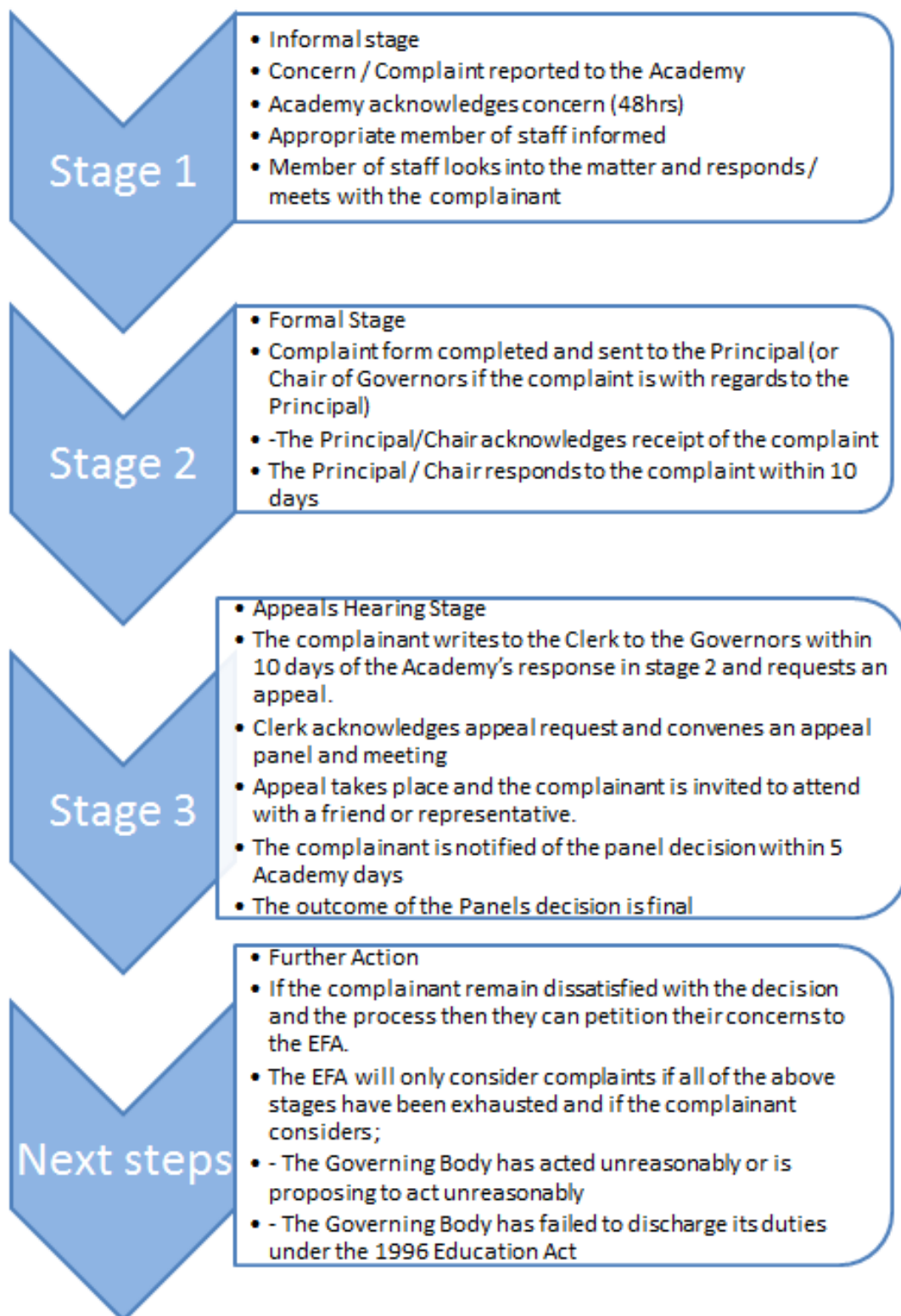
**Review Date of Policy:** \_\_\_\_\_

**Understanding the concern and complaints process:**





## Understanding the concern and complaints process stages and timeline:





3. How do you think the problem could be resolved at this stage?

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

Signed: .....	Dated: .....
---------------	--------------

**This part is to be completed by Guru Nanak Sikh Academy**

Date acknowledgement sent:	
----------------------------	--

By whom:	
----------	--

Complaint referred to:	
------------------------	--

Date:	
-------	--

Outcome sent to complainant:	
------------------------------	--

Appeal lodged:	
----------------	--

Note: This procedure is compliant with The Education (Independent School Standards) Regulations 2010 and details will be displayed on the Guru Nanak Sikh Academy website and Guru Nanak Sikh Academy prospectus.