



# **BOA Digital Technologies**

## **General Complaints Policy for Parents and Carers**

Date of Issue: March 2022

Date of Review: September 2022

This policy covers complaints of a general nature raised by parents/carers. Throughout this policy, a complaint is understood to be “an expression of dissatisfaction requiring a response”. The purpose of this policy is to establish a procedure for dealing with complaints relating to the school as required by section 29 (1) (a) of the Education Act 2002.

The policy applies to parents of students currently registered at the academy. It does not apply to parents of prospective students. This policy applies to former parents *only* if the complaint was initially raised when the student was still registered at the academy.

At BOA Digital Technologies we are committed to trying to resolve concerns wherever possible without the need for a formal written complaint. This document sets out the procedure to follow if parents wish to make a complaint and what they can expect from the academy by way of response.

### **Definitions and scope:**

For the purpose of this policy, a complaint can be defined as an expression of dissatisfaction which can be regarding actions taken or a perceived lack of action.

- Complaints can be resolved formally or informally dependent on the complainant’s choice
- Any complaint will be taken seriously, whether formally or informally and the appropriate procedures shall be taken

Scope: this policy relates to the actions of staff and applications of school procedures except matters relating to student admissions, exclusions, staff discipline and staff grievance – which are subject to separate procedures.

### **Anonymous Complaints**

We will not normally investigate anonymous complaints. However, the recipient of a complaint, as appropriate, will determine whether the complaint warrants investigating.

### **How to raise a complaint**

A complaint can be made in person, by writing or by phone. Complainants should not approach individual members of the governing body. Such members have no power to act on an individual basis and it may prevent the governor from considering complaints at a later stage of this procedure.

Complaints about the principal should be addressed to the CEO via BOA Group Office at Millennium Point and addressed as private and confidential.

### **The Procedure**

#### **Stage 1 (informal)**

In the first instance the complaint should be raised with the relevant teacher, head of department or other most relevant member of staff. It is anticipated that at this stage the complaint would be initiated verbally or through email. If the principal is contacted at this stage, it is most likely to be passed to an appropriate member of staff for them to respond because they have a particular responsibility or are familiar with the complaint. Most complaints will be successfully resolved at this stage. Depending on the nature of the complaint the member of staff spoken to may refer the complaint to an assistant principal who will initiate appropriate action. In all cases it would be anticipated that the member of staff would inform their line manager of the complaint and the outcome.

## **Stage 2 (formal)**

If the complainant is not satisfied with the outcome of the complaint at Stage 1, they are requested to put their complaint, with details, in writing to the principal under Stage 2 of this procedure. The principal will acknowledge receipt of the complaint as soon as practicable and normally within 2 working days. The principal will decide, after considering the complaint, the appropriate course of action to take. The principal may meet or speak with the parents concerned to discuss the matter. It may also be necessary for the principal (or a person appointed by the principal) to carry out further investigation for all or part of the complaint. Once the principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The principal will take all reasonable steps to try and resolve the complaint within 10 working days of receiving the complaint under Stage 2 of the procedure.

If it is not possible to respond within 10 days, the principal will provide a written update stating these reasons and informing the complainant of a time in which a response will be received.

A complaint should be brought to the attention of the principal at the earliest opportunity. A matter raised more than 3 months after an event will be considered only in exceptional circumstances although the record will be kept on file for future reference.

At this stage, possible outcomes for a complaint may include:

- There is insufficient evidence to reach a conclusion so the complaint cannot be upheld
- The complaint is not substantiated by the evidence
- The matter has been investigated fully and substantiated in part or in full and the appropriate action has been taken. Where appropriate, this action will be communicated to the complainant. Should the action include staff disciplinary procedures, details will not be shared with the complainant

If the complaint concerns the principal, the Chair of the Board of Trustees will manage the complaint in accordance with Stage 2 above.

After consideration by the principal, the matter is now concluded. If dissatisfied with the outcome, the complainant may consider taking the complaint to stage 3.

## **Stage 3 (panel hearing)**

In the unlikely event that the principal cannot resolve the issue to the satisfaction of the complainant then concerns should be raised, in writing, to the Chair of the LAB, at the academy address. The Chair of the LAB has been appointed by the Board of Trustees to call hearings of the complaints panel. Parents can choose to use the form in Appendix A of this policy if this is easier.

The Chair will acknowledge the complaint as soon as possible, usually within 2 working days during term time (or within 10 working days or as soon as reasonably practicable during academy holidays). The Chair will schedule a hearing to take place normally within 10 working days during term time (or within 15 working days or as soon as reasonably practicable during academy holidays). The complainant will be invited to attend the panel hearing. The panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the academy. The remaining panel members may be selected from the Board of Trustees.

The complainant can be accompanied at the panel hearing (such as by a friend or relative) but must inform the Chair prior to the panel hearing. Legal representation will not be appropriate. The principal will attend the panel and may be accompanied if they wish.

After due consideration of all facts the panel consider relevant, the panel will make findings and may make recommendations. The panel will write to the parents informing them of its decision and the reasons for it, normally within 7 working days of the hearing. The decision of the panel will be final. A copy of the panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and sent to the principal and the Chair and, where relevant, the person who has complained. A copy will also be made available for inspection on the academy premises by the Board of Trustees and principal.

The Chair will take all reasonable steps to ensure the panel will have considered the complaint and made their findings and recommendations within 20 working days of having received the request for a panel hearing under Stage 3 of this procedure.

Next steps

If the complainant believes the academy did not handle their complaint in accordance with this policy or they acted unlawfully or unreasonably, they can contact the Education Skills Funding Agency after they have completed Stage 3. The agency will consider whether the academy followed an appropriate procedure in dealing with the complaint.

Education and Skills Funding Agency

Cheylesmore House

5 Quinton Road

Coventry

CV1 2WT

**Recording complaints:**

All formal complaints, including those managed by the principal at Stage 1, will be recorded. This written log will include how the complaint has been dealt with, any outcomes, the dates and times of when phone calls have been made, as well as minutes from meetings and a copy of any correspondence sent.

The academy will record:

- whether the complaint is resolved following an informal or formal procedure, or whether the complaint proceeded to a panel hearing;
- action taken as a result of the complaint (regardless of whether the complaint was upheld)

*All correspondence, statements and records relating to individual complaints are to 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 academy will retain a copy of all complaints for a period of 6 years or, if related to the provision of a current student, 6 years after the student has left the academy.*

**Timescale:**

At all points in this process parents/carers will be kept informed of the progress of their complaint.

All references to 'working days' in this policy means Monday-Friday (excluding weekends). In the event of a complaint being received during a holiday period, it will be dealt with as soon as reasonably practicable and normally within the timescales set out throughout this policy. Where there are delays in collecting information (for example, staff absence), parents will be informed of the reasons why and a likely timeframe for a response.

As part of the academy's investigations, it would be anticipated in most cases that a conversation will take place either via telephone or via an informal meeting with the complainant to ensure the academy has clarity about their concern.

Appendix A

Complaint Form

Please complete and return to the principal, clerk or CEO as set out within this policy.

|   |
|---|
| Your name:  |
| Student's name (if relevant):   |
| Your relationship to the student (if relevant):   |
| Address:<br><br>Day time contact number:<br>Evening contact number:   |
| Please give details of your complaint, including whether you have spoken to anyone at the academy about it. |
| What actions do you think might resolve the problem at this stage?  |
| Are you attaching any paperwork? If so, please give details.  |
| Signature:<br><br>Date:   |