



North Oxfordshire Academy

COMPLAINTS

Contents	
Policy Statement	3
Policy Aims and Guidance	4
Stage One: Informal Resolution	6
Stage Two: Formal Resolution	8
Stage Three: Review by the Local Governing Body (LGB) Complaints Panel	8
End of formal school process and right to appeal	10
Vexatious Complaints	12
Appendix 1 Complaint Proforma	13

COMPLAINTS

Policy Statement

North Oxfordshire Academy ('the School') prides itself on the quality of teaching and pastoral care provided to its students. It recognises that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with the school.

North Oxfordshire Academy will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early Stage, in the spirit of continued respect and partnership.

This is a three-Stage process. In most cases, any concern or complaint should be discussed informally at Stage 1, before being submitted to a formal process. Complaints concerning the Head may proceed directly to formal process at Stage 2 and will be managed by the chair of the Local Governing Body (LGB).

Definitions

This policy deals with concerns or complaints from parents of current Students and parents of former Students provided the complaint was initially raised when the Student was still registered at the School.

For the purposes of this procedure, concerns are defined as having a worry or doubt over an issue considered to be important for which reassurances are sought. A complaint can be any matter about which a parent/carer is unhappy and seeks action by the School.

Matters falling outside of this policy

- This procedure does not apply in relation to appeals against admissions or exclusions which are managed under a separate statutory procedure. Please see the School policies [here](#)
- This procedure does not apply to safeguarding concerns regarding children or allegations of abuse made against teachers, and other staff, including supply teachers and volunteers, which are managed under the School's Safeguarding Policy [here](#) and is distinct from formal staff disciplinary, grievance or capability proceedings.
- Where the complaint concerns a third party or service used by the school, please complain directly.
- For 'Subject Access Requests' and 'Freedom of Information Requests' please see the Data Protection and Freedom of Information Policy [\[here\]](#).
- For whistleblowing complaints, please refer to the UL whistleblowing policy [\[here\]](#).

Policy Aims and Guidance

We aim to:

1. Encourage the **informal and early** resolution of complaints at Stage 1, so far as it is possible.

We aim to deal with all matters of concern raised by parents or carers promptly, fairly, openly, and without prejudice. Concerns and complaints are more likely to be resolved informally when all parties commit to working together towards a resolution in the spirit of co-operation. Informal resolutions will usually involve a meeting between the complainant and the school. Any concern or complaint should be listened to by an appropriate member of the staff team - usually the pastoral leader, faculty director or a member of the leadership team (as appropriate to the nature of the complaint). Where further information is needed, we will aim to respond in a timely and sensitive manner. It also helps to understand what a satisfactory outcome would look like to the complainant. We aim to resolve matters at Stage 1 within 15 working days.

When managing a concern or complaint informally at Stage 1, parents may, if they are not satisfied with the response, escalate their complaint to the formal Stage of this procedure.

Mediation meetings may be helpful in resolving issues of concern or in mending relationships and moving forward in partnership with parents/carers. However, these sit outside of the formal complaints process.

2. Ensure that complaints process is easy to understand and access and be readily available. United Learning has endeavoured to make its procedures as accessible as possible. Parents should not be put off from making a complaint because they are not sure how to do so. This complaints procedure is available on the School website and can be made available in hard copy on request from reception.

3. Keep the **formal procedure** to two distinct Stages.

Stage 2 is a formal investigation and response. Stage 2 complaints should be made to the Headteacher, (or the Chair of Governors if the complaint concerns the Headteacher) who will investigate and provide a formal response.

Stage 3 is a review of the complaint by a Complaints Panel. If the complainant remains dissatisfied with the outcome at Stage 2, trustees have delegated the LGB with authority to review the complaint on its behalf at **Stage 3**. The Stage 3 panel **must** include independent representation*.

Resolution should be sought at all Stages.

*It is a requirement that, where there is a panel hearing of a complaint, **one panel member** is independent of the management and running of the school. United Learning determine this to mean external to the individual school and therefore a governor from another LGB within UL may be asked to join a review at Stage 3.

The DFE confirms that; *‘with the exception of the MAT’s trustees, we are satisfied that a governor, from a local governing body at a different school within the MAT, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. This is because such person would have no direct involvement with the management and running of the school being complained about.’*

4. Ensure that as few governors as possible are involved in the management of a complaint. The School aims to ensure that members of the LGB do not become directly involved in the detail of a complaint, so they are not prevented from sitting on a Complaints Panel if called upon to review complaints under Stage 3.

Where a complaint has been made about a member of the Local Governing Board or the entire governing board, the LGB clerk should seek advice from the Head of Local Governance at United Learning about how the procedure should apply and proceed given the nature of the complaint. This may involve sourcing an independent investigator and/or panel to hear the complaint.

5. Records should be kept at both stages of the formal process

It is important that those responsible for reviewing a complaint at each formal Stage keep records of what the complaint was, whether it was resolved following a formal procedure or proceeded to a panel hearing, any action taken by the School as a result of the complaint (regardless of whether they are upheld), any evidence that was considered, and the outcome. The School will ensure that, in accordance with the Education Regulations 2014, a copy of the findings and recommendations made at the panel review Stage are provided in writing to the complainant and, where relevant, the person complained about, as well being made available for inspection on the school premises by United Learning and the head teacher.

Any personal information recorded in regard to the complaint will be kept in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (see the ICO [website](#)) and in accordance with the School’s Privacy Notice and Data Retention Policy.

The School processes data in accordance with its privacy notice [here](#). When dealing with complaints the School may process a range of information, which is likely to include the following:

- The name of the complainant;
- The date and time at which the complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Findings and recommendations of investigations;
- Any action taken;
- The complainant’s response (satisfaction or further pursuit of complaint).

This may include ‘special category personal data’ (including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

If parents are unhappy with how the School has managed their complaint under this procedure, they may complain to the EFSA.

Parents may also complain to Ofsted if they wish. Relevant details are set out below:

OFSTED: Piccadilly Gate, Store St, Manchester, M1 2WD
Phone: 0300 123 4666 or email enquiries@oftsed.gov.uk

In line with our Provision of Information policy, this document is available to all interested parties on our website and on request from the main school office and should be read in conjunction with the following documents: Anti-Bullying Policy, Child Protection Policy, Special Educational Needs Policy, Admissions Policy, Behaviour Policy, Exclusions Policy and Privacy Notice. This policy reviewed annually by the Head teacher.

Procedures

Stage 1: INFORMAL RESOLUTION

The LGB of North Oxfordshire Academy encourages those that have concerns to raise them with the appropriate person at the school and to work constructively with that person towards resolving them. The majority of concerns can be dealt with without resorting to the formal Stages of the formal complaint procedure. We recognise that, almost invariably, the sooner concerns are raised the easier it is for an appropriate resolution to be found.

You are encouraged to raise your concern or complaint with the following members of staff:

- Concerns of a pastoral nature should normally be made to your child's Pastoral Leader, Head of Sixth Form or Deputy Head (Pastoral).
- Concerns of an academic nature would be through the Faculty Director or Deputy Head (Academic).
- If the nature of your concern is broader and may cover both academic and pastoral issues then concerns should be directed to either the Deputy Head (Pastoral) or Deputy Head (Academic).

The member of staff will acknowledge the complaint normally within 3 working days of receipt. They will try to identify areas of agreement and clarify any misunderstandings that might have occurred. They may make a written record of your concern or complaint, the date on which it was received, and then try to resolve the matter themselves or refer you to the appropriate person.

If the matter cannot be resolved informally within 15 working days, or if the relevant member of staff and the parent fail to reach a satisfactory resolution, then the parents should proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.

Where a complaint is about a member of staff, the Head teacher will investigate or will delegate responsibility to investigate to a senior member of staff (a Deputy or Assistant Head, for example).

Where the subject of the complaint is the Head teacher, the complainant should make their complaint directly to the Chair of the LGB under Stage 2 of this process.

For reasons of confidentiality, complainants will not be informed of the outcome of any disciplinary action against any member of staff, arising from a complaint.

All complaints will be handled within clear and reasonable timescales. Please note that, for the purposes of this procedure, working days refers to week days (Monday to Friday) during term time, excluding Bank Holidays. This means that during school holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay.

Timescales for investigating and/or responding to a complaint may also need to be extended in the event of a force majeure, a pandemic or as the result of enforced government restrictions. The School will inform parents if there is to be a delay to the anticipated timescales, for instance because of disruption to the School, staff absence or site closure.

Parents are expected to proceed with their complaint in a timely and reasonable manner. To enable effective review, the School therefore expects complaints to be raised within 3 months of an issue arising. Complaints outside this timeline will only be considered in exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the headteacher will review the circumstances, may seek advice, and determine whether the complaint is to be considered under this policy. It is also expected that if parents wish to escalate their complaint to the next Stage of the procedure, they will generally do so within 15 working days of the conclusion of the current Stage. Depending upon the circumstances, the School may, acting reasonably, treat a complaint as closed if a parent has not proceeded within this timeframe.

Notes may be made to support the informal management of complaints and the school may also keep an informal record of any meeting held or any agreed action to be taken. These will be processed by the school in line with the relevant privacy notice. Records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls, etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

The record of complaints is kept for at least 7 years.

Correspondence, statements and records relating to individual complaints are kept strictly confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Concerns and complaints will therefore be dealt with confidentially at all Stages and at the conclusion of the procedure. Confidentiality should be maintained all times by everyone involved. Complaints are not to be discussed externally by parents, including via social media. Actions taken in relation to school staff that arise from complaints will remain confidential to the school and the member of staff concerned.

Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to act on this which may include reporting this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy which can be found on the academy's website.

STAGE TWO: FORMAL RESOLUTION - Headteacher

If you wish to take your complaint to this Stage, you should put your complaint in writing to the Head teacher. If the complaint is against the Head teacher, you should make your complaint directly to the Chair of the LGB. The Chair will review your complaint in accordance with this Stage of the procedure.

The Head teacher will acknowledge your formal complaint normally within 5 school days, and will explain how we propose to proceed and set a date (not normally more than 15 school days from the date of receipt of the formal complaint under Stage 2) by which time a response will be provided. The Head teacher will decide, after considering the complaint, the appropriate course of action to take which may include carrying out further investigation. Further investigation may affect timescales and if so, the Head teacher will keep you informed of a date for a response. The Head teacher will also decide whether it would be helpful to meet with you to discuss your complaint.

Once the Head teacher is satisfied that, so far as is reasonably practicable, all the relevant facts have been established, a decision will be made, and you will be informed in writing. This will normally be within 15 school days of having received the Stage 2 complaint. The response will set out the Head's conclusion, the reasons for it, and any action taken or proposed. The School hopes that you will be satisfied with the outcome and will understand that your concerns have been fully and fairly considered.

If parents are still not satisfied with the decision, they should proceed to Stage Three of this procedure within 15 school days of the Stage Two decision being communicated. If parents do not invoke Stage Three within this timeframe the School may, acting reasonably, deem the complaint closed.

STAGE 3: FORMAL RESOLUTION - Review by the Local Governing Body (LGB) Complaints Panel

The complainant is entitled to request a review of the decision and the actions taken at Stage 2. The review is carried out by a complaints panel, at a meeting convened by the LGB clerk and provides an opportunity for the complaint to be heard afresh.

Requests for a review of the decision taken at Stage 3 should be made in writing to the LGB clerk Bev Martin (bcmcheney@mail.com) no later than 15 working days after receipt of written notification of the decision at Stage 2. The request should include a summary of the

complaint, why the complainant is dissatisfied with the outcome of Stage 2 and the outcome they are seeking.

The LGB clerk will convene a meeting of the complaints panel and will organise the time and date of the Stage 3 review meeting, inviting all the attendees, collating all the relevant documentation and distributing this to all parties, no less than 5 working days in advance of the meeting. Minutes of the review meeting will be taken by the clerk and provided with the written notification of the decision taken at Stage 3 (see 9 below).

The following steps are taken at Stage 3

1. The LGB clerk will acknowledge the written request for the complaint to be reviewed no later than ten working days (not including the school holidays) after receiving it.
2. The LGB clerk will convene a panel of **three** people who were not directly involved in the detail of the complaint, one of whom must be someone independent of the running and management of the school to review the complaint. A governor from a local governing body of a different school within United Learning, provided they have no conflict of interest, may sit as an independent panel member.
3. If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the meeting or further investigation be carried out. Copies of such particulars shall be supplied to all parties usually not later than 5 working days prior to the meeting or 3 working days if requested after receipt of the full pack of documents.
4. The review meeting will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the written acknowledgement from the clerk (see 1 above).
5. The review meeting is not a court case and will be as informal as circumstances allow and conducted in such a manner as at the discretion of the Panel. The meeting may be convened remotely or face to face within school. The Panel members are not legally trained and therefore cannot make findings as to points of law.
6. The panel may speak with the following, either as part of the review meeting, or as part of any further investigation:
 - the complainant
 - the headteacher (or chair of the LGB as appropriate) who investigated the complaint and made the decision at Stage 2
 - relevant persons involved in the complaint
 - persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at Stage 3
7. Where the complainant, headteacher and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family

member/friend/representative as appropriate. However, legal representatives are not permitted to attend the review meeting.

8. The parents may attend and be accompanied at the panel meeting by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The parents should notify the LGB Clerk at least 3 working days in advance of the hearing of the name and occupation of an accompanying person.
9. The Panel meeting will go ahead unless the complainant indicates that they are satisfied and do not wish to proceed further. A Panel meeting may proceed notwithstanding the complainant may subsequently decide not to attend, in which case, the Panel will consider the complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.
10. After due consideration of all facts they consider relevant, the panel will make findings as to whether the Stage 2 decision was a reasonable one and accordingly can decide to:
 - uphold the complaint and recommend that certain action be taken to resolve it;
 - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and recommend certain action to be taken, or
 - dismiss the complaint entirely.
11. The Panel may make recommendations to the school as a result of its deliberations but has no power to compel the school to take action.
12. The Chair of the Panel ensures that the Chair of the LGB (where appropriate), the Head teacher, the Complainant and where relevant the person complained about are notified in writing of the panel's findings and recommendations within 15 school days of the hearing taking place.

This marks the end of the formal complaints process.

Provision of Information

Information considered by the Panel will be made available to you (the complainant) unless data protection laws or any other legislation prevents us from lawfully providing this to you, in which case we will make appropriate redactions and provide you with as much of the information as possible.

End of Formal Process

United Learning recognises there may be very rare occasions when the complainant feels that the individual school and the LGB have failed to appropriately address their complaint and that they must escalate it beyond the LGB. They can do this by contacting United Learning's Central Office. If Central Office deem it appropriate to consider the matter further, they will pass the complaint to a designative representative to investigate and respond to the concern.

Please be aware that Central Office will not get involved **unless** there is clear evidence that all other Stages have been exhausted and they are under no obligation to consider the matter further. The complainant should be directed to contact our London Reception at Reception.London@unitedlearning.org.uk or 01832 864 477, who will ensure the complaint is sent confidentially to the appropriate designated Central Office representative (typically at Director level). A brief overview of the issue, the school involved, and the steps taken thus far to resolve it, should be set out. The earlier steps in the complaints process **must** have been completed **and** a formal response given by the LGB before this escalation route is used, and it should be initiated within 15 school days of the LGB panel's decision being communicated to the complainant. All records from the panel hearing must be shared with designated Central Office representative.

Once the designated Central Office representative have details of the complaint, they will review the matter to see if it warrants further investigation and consideration. Any decision to review the matter further will include a review of the complaint and the action taken by the school up to this point. They will then give a direction and ensure the complainant is appropriately informed.

The decision of the designated representative is final and binding. Complainants will be given a written response to their complaint usually within 15 school days from the receipt of the complaint by United Learning's Central Office.

Complaints against Central Office

If the complaint relates to a member of Central Office, then the complaint should be directed to the Company Secretary at company.secretary@unitedlearning.org.uk, clearly marked as a complaint in the subject box. The complaint will initially be passed to the relevant line manager to deal with.

As with complaints dealt with by schools, United Learning expects all concerns and complaints raised about Central Office colleagues to be dealt with in a respectful, impartial and nonadversarial manner usually within 15 school days. A full and fair investigation of the issue will be undertaken.

In the event that the complaint is not resolved satisfactorily with the line manager and the person concerned, the complaint will be reviewed by the Company Secretary who will investigate and aim to respond within a further 15 school days.

Complaints about members of the Local Governing Body

A complaint about a member of the Local Governing Body should be sent in a sealed letter to the Chair of Governors of the school. The Chair of Governors will investigate the issue and give a written response to the complainant usually within 15 school days from receipt of the letter.

A complaint about the Chair, or where the complainant believes their complaint about a member of the LGB has not been satisfactorily addressed by the Chair, should be sent to

either the Chair of Trustees for ULT, Dame Yasmin Bevan. The relevant Chair of Trustees will either investigate the issue themselves or nominate a representative to do so on their behalf, and a written response will be given to the complainant usually within 15 school days from receipt of the letter.

Vexatious Complaints

There will be occasions when, despite all Stages of the procedures having been followed, and where central office has agreed to investigate, the complainant remains dissatisfied. If the complainant tries to reopen the same issue or a closely related issue that has already been dealt with under this complaints procedure, the relevant United Learning Director and the Chair of the LGB will inform parents in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school or Central Office to respond to any further correspondence on the same issues or a closely related issue.

Whilst we understand that some matters may be potentially upsetting, if the conduct of the complainant is inappropriate, threatening or abusive (either in person or in written form), the school reserves the right to regard the matter as a vexatious complaint and there will be no obligation on the part of the school to respond.

	Date	Name of owner/author
Authorised:	October 2022	Principal
Policy Reviewed:	Annually	
Next Review Date:	September 2023	

Governor Responsible: Michael Dennison

Appendix 1: Complaint Form

Please complete in BLOCK CAPITALS and return to the *[AMEND: e.g. Deputy Head]* who will acknowledge receipt and explain what action will be taken.

Your name	
Student's name	
Your relationship to the student	
Address	
Postcode	
Contact telephone number (1)	
Contact telephone number (2)	
Please give details of your complaint below	
What action, if any, have you already taken to try and resolve your complaint? (To whom did you speak to and what was the response?)	
What actions do you feel might resolve the problem at this Stage?	
Are you attaching any paperwork?	YES / NO
If so, please give details.	
Signature:	Date:

For Official use only			
Date acknowledgement sent		Complaint resolved at which Stage	
Acknowledgement sent by		Complaint recorded in school records	
Complaint referred to			
Complaint referred on (date)			