



## Complaints Policy and Procedure

### 1. Introduction

The Reach Free School and its community, staff and Governing Body are committed to supporting pupils and parents, guardians or carers in the achievement of individual excellence. We strive, through our 'ACE' ethos of Achievement, Community and Enjoyment to encourage pupils to be creative, considerate and confident to fulfil their future role in society.

The Reach Free School, as an Academy, are required to have complaints procedures meeting certain requirements by the Education (Independent School Standards) (England) Regulations 2014 and to make the policy and procedure available to parents, guardians and carers of pupils and prospective pupils.

### 2. Aims

**2.1** The Reach Free School tries to do all it can to avoid any complaints, but if there is any cause to complain, please bring it to our attention as soon as possible. It is an important priority for us to achieve excellent relationships with parents, guardians, carers, neighbours, and local organisations. Please do not hesitate to contact us if there is anything we can do to help.

**2.2** Pupils, staff and Governors at The Reach Free School will always try to be:

- Welcoming when you visit
- Courteous and friendly when you make contact
- Sympathetic to your views and needs
- Efficient in what we do
- Serious in the way we treat you
- Interested in your views
- Responsive to criticism
- Understanding about your problems

### 3. Procedures

#### 3.1 The Three Stages

The Reach Free School has a three-stage process for dealing with complaints. Further details of each stage, together with roles and responsibilities of staff involved, can be found within this document. The three stages are:

**3.1.1 Stage 1** - The complaint is heard by a member of staff (informal)

**3.1.2 Stage 2** - The complaint is heard by the Headteacher (complaint is put in writing)

**3.1.3 Stage 3** - The complaint is heard by the Governors' Complaint Appeal Panel

**3.2 If you have a complaint**, please let us know immediately, by:

- Telephoning, writing or emailing the member of staff in question (stage 1)
- Writing, explaining the details of your complaint either by letter or by email at [head@reachfree.co.uk](mailto:head@reachfree.co.uk) (stage 2)

- Writing, explaining the details of your complaint either by letter or by email to the Clerk of the Governors at [clerk@reachfree.co.uk](mailto:clerk@reachfree.co.uk) (stage 3)
- Visiting, by appointment only (all stages). This is to ensure you will definitely be seen by the appropriate person when you arrive.

Remember that it will be far easier to deal with your complaint if we have time to investigate it.

Please only visit in person without telephoning first if the nature of your complaint relates to child protection or health and safety matters.

**3.3 Before you make contact**, please remember that we will need to know:

- Exactly what happened
- When it happened
- Who was involved
- What you would like us to do to help

For more serious complaints, keep a record of your contact with us. Note down when you made contact, to whom you spoke, what was said, and anything else that might be relevant. Keep copies of letters you send and our replies.

### **3.4 Making contact**

Please consider who might be the most appropriate person to deal with your complaint. It could be for example:

- a member of the teaching or support staff
- A Subject Leader or Head of Department
- a member of the Senior Leadership Team
- a Deputy Headteacher
- the Headteacher
- the Chair of Governors

Whilst acknowledging that a grave complaint may be more relevant for the attention of a senior-level staff-member, please remember that a problem is more likely to be resolved if you approach the member of staff directly involved. However, please remember, we appreciate a problem drawn to our attention, at whatever level of management attention, rather than harboured unresolved.

If your complaint is about the Headteacher, then please send your complaint to the Chair of Governors, via the Clerk to Governors. If you prefer, you can email your complaint to [clerk@reachfree.co.uk](mailto:clerk@reachfree.co.uk).

Please tell us if you feel that we have not dealt adequately with your complaint.

### **3.5 What will happen to my complaint?**

The Reach Free School will try to deal with complaints as quickly and informally as possible, and will acknowledge receipt of your complaint and respond within 10 working days. We will try to explain the reason for our actions. We will apologise if we have got something wrong, and we will take measures to ensure that it does not happen again.

## **4. To whom to complain if I feel my complaint is unresolved:**

If the complainant thinks that their complaint has not been resolved, then they can take their complaint to Stage 2. This must be made in writing to the Headteacher. You will be advised about

your rights and responsibilities and the actions that we intend to take within 48 hours of receipt of the complaint. Written records will be kept (even if you telephone first). If more formal procedures are necessary, we will ensure that you are advised of them. All complaints will be dealt with securely and confidentially at all times, except where The Reach Free School has a legal obligation to provide the information. The Headteacher will respond to the complaint in writing via a letter or an email within 10 school days.

#### **4.1 Complaining to the Governing Body (stage 3)**

If your complaint is not resolved or you are not satisfied with the outcome, the next stage is to approach the Governing Body of The Reach Free School.

All complaints to the Governing Body must be in writing and addressed to the Chair or via email to the clerk of the Governors (email [clerk@reachfree.co.uk](mailto:clerk@reachfree.co.uk)), and a response will be sent within 15 school days from receipt of the complaint.

The Chair will investigate all complaints, either as an individual or with the support of a special Governors' Complaints Panel, depending on the nature of the concern raised. The Complaints Panel will consist of three people, one or two of whom can be members of the Governing Body who have had no previous involvement with the complaint. At least one member of the panel will belong to the Governing Body of another organisation. Parents, guardians and carers will be invited to attend the panel, and are welcome to be accompanied by a person of their choosing.

Parents, guardians and carers also request an independent panel if they choose.

The outcome and recommendations of any complaints will be sent by the means in which they were received within 10 school days of the meeting to the Governing Body, the complainant and, where relevant, the person complained about. These will also be available for inspection by the Headteacher and Trustees.

#### **4.2 If your complaint remains unresolved after stage 3**

If your complaint has not been resolved by the school or the Governing Body (stage 3), then there are further steps you can take.

#### **4.3 Complaining to the Education and Skills Funding Agency (ESFA)**

If you believe that The Reach Free School is acting 'unreasonably', you can complain to the Secretary of State for Education via the Education and Skills Funding Agency (ESFA).

This should be a last resort, and you must highlight steps you have already taken to resolve the problem in your correspondence.

The ESFA supports Academies to achieve a compliant procedure, but it is the responsibility of Academy Trusts such as The Reach Free School's Trust - Reach Learning - to make sure that their complaints procedure is fully compliant. The ESFA's responsibility is to ensure Academies comply with their funding agreements. If a complaint comes to the ESFA, the ESFA will check whether the complaint has been dealt with properly by the Academy. The ESFA will consider complaints about Academies that fall into any of the following three areas:

1. where there is undue delay, or the Academy did not comply with its own complaints procedure when considering a complaint
2. where the Academy is in breach of its funding agreement with the Secretary of State
3. where an Academy has failed to comply with any other legal obligation

The ESFA will not overturn an Academy's decision about a complaint. However, if the ESFA finds an Academy did not deal with a complaint properly, the ESFA will request the complaint is looked at again and procedures meet the requirements set out in the Regulations. If the Academy's complaints procedure does not meet the Regulations, the ESFA will ask the Academy to put this right. The ESFA may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

#### 4.5 Complaining to Ofsted

Ofsted has powers to investigate some complaints made in writing from registered parents, guardians or carers of pupils at The Reach Free School. However, the school should be given adequate opportunity to investigate thoroughly and respond.

#### 5. Resolution

And finally please remember, we will always do our best to deal with complaints courteously, seriously, efficiently and fairly. We would also like to know that you have been completely satisfied with the way in which your complaint has been resolved.

#### 6. Other Information

The Reach Free School will:

- deal with complaints from people who are not parents, guardians or carers of attending pupils in the same way by utilising the process outlined above
- ensure the complainant is given reasonable notice of any Governors' Complaints Panel hearing date, if the complaint does proceed to the Complaints Panel stage
- consider if staff likely to be involved in handling a complaint are suitably equipped to do so
- provide complainants with written responses where appropriate and if requested
- clearly signpost parents, guardians or carers that are not satisfied about the handling of their complaint to the ESFA via the schools complaints form on the ESFA website
- not tolerate abusive language or behaviour at any time, and reserve the right to postpone the process should it feel that the welfare of staff, pupils and /or Governors is at significant risk

#### 7. Monitoring and Review

The Governing Body will monitor the number of complaints received and amend school policies and procedures accordingly. The Governing Body will review this procedure every year so that it remains aligned with relevant legislation and guidance issued by the Department for Education and the Education Funding Agency.

**Created:** January 2013

**Revised:** March 2018

**Last Reviewed:** March 2018

**Next Review:** Spring 2019

**Ratified by the Governing Body:** October 2013

Change History	Change(s) Made	Change Author
V1.0	Policy created	RBO
V1.1	Policy and procedure updated to meet current Department for Education/Education Funding Agency guidelines	RBO

V1.2	Policy and procedure updated to include references to Heads of Department and Subject Leaders. Education Funding Agency (EFA) updated to Education and Skills Funding Agency (ESFA). Section 4.1 updated to include reference to independent panels and clarified who would sit on a Complaints Panel.	RBO
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## Complaints Procedure

