



*Nourishing the fitrah of each unique child*

## Complaints Policy and Procedure

*“O you who believe, obey Allaah and obey the Messenger and those in authority among you. Then, if you dispute about something, refer it back to Allaah and the Messenger, if you believe in Allaah and the Last Day. That is good, and the best at the end.”*

*(Surah An - Nisa, The Women, Verse:59)*

Updated: September 2022	Review date: September 2023	Interim Complaints Coordinator: Hawwa Mbombo
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Adopted: September 2022

Review Date: September 2023

## Complaints Policy and Procedure

**Unique Academy** is committed to providing a high quality of education and support for all its pupils. This also requires having a clear, fair, and efficient procedure for dealing with complaints (from parents of registered pupils) to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

Our Complaints policy and procedure only fully applies to parents of registered pupils at the school.

This document explains our complaints procedure, and the steps that it outlines should be referred to and followed by parents when an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Unique Academy, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li></ul>	For concerns about admissions please see the School's Admissions Policy.  Special Educational Needs: The Complainant can use this policy to complain unless the Complainant's child has an Education Health and Care Plan and the Complainant wishes to appeal against a decision that the school has taken.
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance, also the Allegations of Abuse Against Staff Policy.
<ul style="list-style-type: none"><li>• Freedom of Information</li></ul>	Subject Access Requests and Freedom of Information Requests: please see the School's Data Protection and Freedom of Information Policies
<ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .  <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>

<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p> <p>Anonymous complaints: Please refer to the School's Whistleblowing Policy.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Staff grievance, capability or disciplinary; these are covered by separate School Policies and Procedures</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

Each of the above follows its own process of complaints and appeals which are outlined in their relevant policies. These policies can be accessed via our website and they are also available at the school office area upon request.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Unique Academy in relation to their complaint, we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

If a complainant contacts Unique Academy again in relation to their complaint, the correspondence may then be viewed as 'serial' or 'persistent' and Unique Academy will not respond but will continue to complete the initial complaints procedure in full.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the school's safeguarding policies.

Anonymous complaints and persistent complaints will not be examined under this document.

## The Difference Between A Concern And A Complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure.

Unique Academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

## When An Issue Or Concern First Arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing via the communication book or by sending an email to the school. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's teacher first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with respect, open dialogue and mutual understanding.

A written record of your concern will be taken by the member of staff you will be speaking to so that it is easy to see – when concerns are taken further or referred to in the future – what the initial problem was.

If your concern is about the Headteacher, you should raise your concern by arranging a meeting with the Headteacher in the first instance. A written record of the meeting will be kept so that it can be referred to in the future.

If your concern is about a Trustee, you should raise your concern in writing with the Headteacher.

Further relevant contact details are available at the end of this policy.

Any Trustee will refer concerns that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

## Procedure During the Initial Informal Meeting

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Headteacher to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue. The meeting can take the form of mediation.

Staff have a responsibility to ensure that parents understand any future points of action that have been agreed upon in this meeting and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that the concerns of parents are dealt with appropriately and efficiently but if an agreement cannot be reached, or a parent is dissatisfied with the outcome of the meeting, they can make a **formal complaint in writing to the Headteacher**.

**If your complaint is about the Headteacher**, you can make a **formal complaint** in writing with Unique Academy Trustees.

Email of the trustees is: [trustees@uniqueacademy.education](mailto:trustees@uniqueacademy.education).

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues would be resolved within 15 school working days.

## Formal Complaints

In order to ensure that complaints are processed efficiently and effectively, **Unique Academy** deals with formal complaints in three stages:

### Stage 1

If your complaint is about the Headteacher you should go straight to Stage 2 of this procedure.

Your **written complaint** should provide sufficient detail of the issues to allow the Headteacher to investigate and respond to the complaint. You should also set out what you feel would resolve the complaint.

You can use Unique Academy's formal complaints form to write your complaint (see Appendix 2). A template of this is attached at the end of this policy, however, it is also available on request at the schools Reception area by asking the School Administrator.

The Headteacher should respond your complaint in writing within **10 school working days**. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The Headteacher may call you in for a meeting to maintain good relationships, discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint. The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If an allegation of abuse is made against a member of staff by a parent or another member of staff, the Headteacher (DSL) will talk to that employee. A formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **Allegations Of Abuse Against Staff Policy** and **Safeguarding And Child Protection Policy**, for an outline of this procedure.

For **allegations against staff**, the Headteacher will acknowledge the allegation and keep parents informed of the outcome of the school's investigation and any action that has or will be taken. If the Headteacher decides not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps that can be taken.

### Stage 2

If you are dissatisfied with the outcome of your complaint or your complaint is about the Headteacher, you may lodge your complaint with the Unique Academy Trustees. The complaint must be in writing and it should explain your complaint in sufficient detail and the steps that have led up to you taking this course of action.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Unique Academy Trustees within 5 school days of the complaint being lodged with them.

The Trustees will acknowledge receipt of the complaint and respond outlining their response to your complaint, and any action that has or will be taken within **15 days**. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

## Appeals

### Stage 3

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the Appeals Panel. You should write to the Unique Academy Trustees to exercise this right within **10 school working days** of the outcome at Stage 2. If no request for an Appeals Panel hearing is received within **10 school days**, it will be deemed that the decision is accepted, and the complaint will be closed.

If an Appeals Panel is requested, Unique Academy Trustees will acknowledge your appeal and make the necessary arrangements and will usually convene the Appeals Panel within **15 to 20 school days** from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

An independent appeals chair will chair the meeting to ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the Appeals Panel by both parties at least 10 days before the appeals panel hearing.

The complainant is entitled to be accompanied to the appeals panel hearing and should notify the independent appeals chair in advance if they attend to bring anyone, by confirming this in writing, when responding to the independent appeal chairs invitation to attend the appeal hearing.

### **The Appeals Panel**

The Appeals Panel will be made up of between three to five individual trustees, who are not directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the school (from outside of the school).

All Appeal Panel members will be familiar with and have access to the complaints policy.

The Appeal Panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

### **Appeals Procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. The complainant (parent), their chosen person (if applicable) and headteacher will enter the hearing together.
2. The independent chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The headteacher and panel will question the complainant.
5. The headteacher will explain the school's actions.
6. The complainant and panel will question the headteacher.
7. The complainant will sum up their complaint.
8. The headteacher will sum up the school's actions.
9. The independent chair will explain that both parties will hear from the panel within 10 working days.
10. Both parties will leave together while the panel decides.

There may be occasions whereby the panel may deem that it will be more appropriate to hear from the school and complainants separately.

The independent chair of the panel will notify the trustees, Headteacher, complainant and the person who complained about the panel's decision in writing within **10 school days** of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may also set out recommendations which will be made to the trustees.

### **The Appeals Panel may:**

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final and binding upon all parties concerned.

### **Resolving Complaints**

At each stage in the procedure, the school will want to keep in mind 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.**

It would be useful if complainants were encouraged 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. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Duplicate Complaints**

After closing a complaint at the end of the complaints procedure, if the school receives a duplicate complaint from:

- A spouse
- A partner
- A grandparent
- A child

The school will inform the new complainant that the school has already considered that complaint and the local process is complete. The school should advise the new complainant to contact the Department for Education should they be dissatisfied with the school's handling of the original complaint.

Any new aspects to the original complaint will be investigated and dealt with to the full extent of the complaints procedure.

### **Persistent Complaints**

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Vice chair of trustees will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and

the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, and the school's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the school repeatedly but making substantially the same points each time
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards school staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

## Trustees – Records, Review and Monitoring Of Complaints

Unique Academy will record the progress of all formal complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

Records of complaints will be kept on school premises, securely, only for as long as necessary and in line with data protection law. The headteacher will also keep confidential correspondence, statements and records relating to individual complaints except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Unique Academy will review and evaluate all complaints no matter how far they are taken or what the outcome is to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

All records of any complaints will be kept confidential but may be inspected where appropriate by the relevant authorities.

The Trustees will review the complaints procedure on an annual basis.

## Staff Complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **Whistleblowing Policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **Staff Discipline, Conduct and Grievance Policy**.

These policies can be accessed via the school's cloud storage system.

## Contact details

Key Contacts	Contact details
Headteacher	Name: Mrs Hawwa Mbombo Telephone: 0208 004 5481



	Email: <a href="mailto:h.mbombo@uniqueacademy.education">h.mbombo@uniqueacademy.education</a>
Trustees	Email: <a href="mailto:trustees@uniqueacademy.education">trustees@uniqueacademy.education</a>
Complaints Appeal Chair (Only to be emailed after Stage 3 of the complaints procedure)	Send an email to: <a href="mailto:office@uniqueacademy.education">office@uniqueacademy.education</a> with the subject line as follows: FAO: Complaints Appeal Chair - Confidential

**Signed by:**

.....*H Mbombo*.....

Chair of Trustees

Date: .....01.09.2022.....



## Complaints Procedure Flowchart

INFORMAL PROCEDURE	SCHOOL ACTION
Informal discussion with the relevant class teacher or other relevant member of staff usually resulting in resolution to the issue.	The person is informed of the action to be taken to resolve the issue. If they are not satisfied, they should be provided with a copy of the school's complaints policy/procedure and information on how to proceed to stage 1.
FORMAL PROCEDURE- STAGE 1	SCHOOL ACTION
The complaint is submitted in writing to the Headteacher. <b>If the complaint is about the Headteacher – proceed to Stage 2</b>	The Headteacher gives a full written response within 10 school days. Information is provided to the complainant on how to progress the complaint to stage 2.
FORMAL PROCEDURE – STAGE 2	SCHOOL ACTION
A written complaint is submitted to the Unique Academy Trustees.	The Trustees acknowledge receipt in writing within 15 school days and provides a full written response Information is provided to the complainant on how to progress the complaint to stage 3.
FORMAL PROCEDURE – STAGE 3	SCHOOL ACTION
A written complaint is submitted to the Complaints Appeals Panel within 10 school working days of the outcome at Stage 2.	The Trustees arrange for a Complaints Appeal Panel to meet within 15 to 20 working days from receipt of letter. Independent chair of the complaints panel informs the complainant in writing of findings within 10 school days from the hearing. The decision of the appeal panel is final.



## Formal Complaints Form

<b>Name:</b>	<b>Date:</b>	
<b>Address:</b>	<b>Postcode:</b>	
<b>Email address:</b>	<b>Telephone number:</b>	
<b>Details of complaint:</b>		
Have you raised your issue with the class teacher (Informal stage)? If so, when?	YES (inc. date)	No
Have you complained to the Headteacher (Stage 1), If so, when?	YES (inc. date)	No
<b>What happened when you complained to the Headteacher?</b>		
<b>What would you like the school to do to put things right?</b>		

<b>Signature:</b>	<b>Date:</b>
<b>Office Use Only:</b>	
<b>Date acknowledgement sent:</b>	<b>Complaint referred to:</b>
<b>Name of staff member:</b>	<b>Date of referral:</b>

Please return this form to the School Office in a sealed envelope who will then pass it onto the appropriate person.



### Appendix 3

## Complaints Log

### ***FOR OFFICE USE ONLY***

<b>Date form sent to parent/carer:</b>	<b>Date form received:</b>	
<b>Parent/Carer's Name</b>		
<b>Address</b>		
<b>Child's Name and DOB:</b>		
<b>Tel. No.</b>	<b>Informal Complaint:</b>	<b>Formal Complaint:</b>

Nature of Complaint

Informal Action

List action taken to resolve informal complaint:

Outcome of Informal Complaint:

Formal complaint forwarded to Headteacher for action:

Any other Comments:

Formal Complaint forwarded to Trustees for action:



### Complaints Log

No.	Date	Complainant Name	Child(ren)'s Name	Nature of complaint	Resolved at Formal Stage 1 (Y/N)	Resolved at Formal Stage 2 (Y/N)	Reached Stage 3: Appeals (Y/N)