



### **Availability Of the Complaints Policy and Procedure**

This policy and procedure is available on request to pupils, the parents of pupils and prospective pupils of Riverside Primary Academy. While pupils may themselves raise concerns and complaints under this policy and procedure, the Academy will involve parents should this occur. Copies are available from:

**Mrs Julie Goodfellow**  
**Headteacher**  
**Riverside Primary Academy,**  
**Colliery Road,**  
**Gateshead,**  
**NE11 9DX**

A copy of our complaint's procedure is also available from the school office, and on the Academy's website.

### **Complaints Policy And Procedure**

At Riverside Primary Academy we undertake to provide a friendly and safe environment in which students will be helped to achieve their potential, both academically and socially. We recognise, however, that sometimes things can go wrong and parents, carers and members of the public may need to make a complaint or raise concerns they have with the academy.

This policy and procedure will be relied upon in respect of all complaints made against the Academy except in respect of;

- (a) child protection allegations where a separate policy and procedure applies; and
- (b) exclusions where a separate policy and procedure applies;
- (c) appeals relating to internal assessment decisions for external qualifications where a separate appeals procedure applies.

The Academy expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Headteacher of the Academy and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response. Please refer to the following guidelines for the specific timescales. We will do all we can to resolve your concern and to ensure you are happy with the education that your child receives at Riverside Primary Academy. Complainants can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Correspondence, statements and records will remain confidential except in so far as is required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

### **Complaints Procedure**

Our Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the Academy's senior management team so that services can be improved.

The Academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

#### **Stage One (Informal): Complaint Heard by Staff Member**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/ she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints coordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints coordinator can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next steps would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside of the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

### **Stage Two (Formal): Written Complaint**

The complaint is put in writing to the school; the Headteacher or the Chair of Governors. The Headteacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. Once a formal written complaint has been made the Headteacher, Deputy Headteacher or Chair of Governors will respond at the earliest convenience and no later than 5 working days.

### **Stage Three (Panel): Complaint Heard By Appeal Panel**

If the matter cannot be resolved through communication with Academy Leaders, a Panel will take place within ten working days of the academy's written response to the complainant.

The Chair, or a nominated governor, will convene a complaints panel. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

The panel is the last school-based stage of the complaints process, and it is not convened to merely rubber-stamp a previous decision.

The panel must allow the parent(s) or complainant to be accompanied if they wish.

Individual complaints would not be heard by the whole panel at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

These can include:

- Drawing up its procedures
- Hearing individual appeals
- Making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

### **The Remit of The Complaints Appeal Panel**

The panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any panel member needs to remember

A - it is important that the Appeal Hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement with the complainant, with the complaint, or in the circumstances surrounding it. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of race, gender and religious affiliation.

B - the aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

C - an effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue

that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is welcoming.

D - extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which part of the hearing, if any, the child needs to attend.

E - the panel members need to be aware of the complainant's procedure.