



King's Academy Bay House

Concerns and Complaints Policy

King's Academy Bay House

Approved by:	Local Governing Body	Date:	June 2024
Maintained by:	Chris Willis	Next review due:	June 2025

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1. Introduction

King's Academy Bay House ('the School') will provide an effective response and appropriate redress to all complaints that may be received as quickly as possible, depending upon the complexity of the issues raised. This policy is for all members of the community, including parents/carers of students at King's Academy Bay House and people who are not parents/carers of students at King's Academy Bay House.

Investigating complaints:

The Headteacher's personal assistant ('the Complaints Officer') or appointed member of the SLT team will coordinate the response to complaints which go past stage 1 by requesting notes and further information from the individuals involved, as well as by communicating with the complainant.

2. Aims

Principles:

There is a difference between a concern and a complaint:

- Concerns ought to be handled, if at all possible, without the need for formal procedures
- Complaints will be dealt with openly, fairly, promptly and without prejudice. All complaints will be dealt with in a confidential manner

3. Responsibilities

Stages of complaint:

Complainants who have missed out stages in the procedure will be referred back to the appropriate stage.

Stage 1 (informal): Write, meet or speak to the relevant member of staff, their immediate manager or a senior manager in an attempt to resolve the issue. Please state that you are in the informal stages of making a complaint.

Stage 2 (formal): If not satisfied after Stage 1, write to the Complaints Officer who will appoint a member of the senior leadership team who will investigate the complaint and respond in writing within ten working days. Please use the form below for this purpose. If your complaint is about the Headteacher, the complaint will be passed on to the Chair of Governors who will respond in writing within ten working days.

Complaint forms can be returned to the school either via main reception or via email: headteacher@kgabayhouse.uk

Stage 3 (panel): If not satisfied after Stage 2, again write to the Complaints Officer who will pass the complaint onto the Governing Body who will convene a panel of three individuals to hear the complaint within fifteen working days. The panel should consist of two School Governors who have had no direct involvement in the previous consideration of the complaint plus one person who is independent of the management and running of the School. This must be someone such as a Governor from another School. The Headteacher cannot be a member

of the panel as they will already have been involved in handling the complaint. The complainant will be informed that they can attend and be accompanied at the hearing if they wish. The hearing will be clerked and an agreed written recording of the hearing will be sent to all parties concerned.

The panel may make findings and recommendations and a copy of these findings and recommendations will, within five days of the hearing, be (i) provided to the complainant and, where relevant, the person complained about: and (ii) made available for inspection on the School premises by the Trust Board and the Headteacher.

The panel's decision is final.

Stage 4: Individuals have the right to contact King's Academy Bay House with respect to the way their complaint has been handled. King's Academy Bay House will usually not take any action until the School's procedures have been exhausted. If a complainant feels the manner in which a complaint has been dealt with is unsatisfactory they can refer to King's Group Academies which will consider whether the complaint has been dealt with properly by the School. Contact details can be found [here](#).

Stage 5: If not satisfied after having reached stage 3 and you believe that the School has not followed its own processes, complaints relating to maladministration or the School acting unreasonably in exercising its powers may be made to the Education and Schools Funding Agency (ESFA). Complaints relating to the quality of teaching or leadership should be referred to Ofsted and those of the maladministration of public examinations of Ofqual and/or the awarding body.

All parties involved will be notified in writing of any findings and recommendations.

Confidentiality

All correspondence, statements and records relating to individual complaints will 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.

Issues relating to staff discipline or capability

Details relating to staff discipline and capability must remain confidential to the Headteacher. The complainant should be informed that the School has taken appropriate follow-up action.

4. Monitoring, Evaluation and Review

All complaints which are made to the Complaints Officer or taken up with the Chair of Governors will be retained indefinitely, with the notes of any investigation, School response and outcome. An annual review of the number and type of complaints will be undertaken by the Headteacher as part of the cycle of School self-evaluation.

Vexatious complaints:

There will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Headteacher or Chair of Governors should inform them in writing that the procedure has been exhausted and that the matter is now closed.

5. Publicising this policy

This policy and the responsibilities of key staff will be published through the School website.

6. Process of complaint should the School fail in its processes

Please contact the Education and Schools Funding Agency (ESFA) in the unlikely event that the School does not comply with its own complaints procedure when considering a complaint or does not comply with statutory requirements or fails to comply with a duty imposed on it under its funding agreement with the Secretary of State. Further information can be obtained from the EFA website.

Complaints about academies should be sent:

- Via the Department for Education's School complaints form. [DfE Complaints Procedure Complaints Form - ESFA](#)
- Or by post to by post to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester. M1 2WD

7. Unacceptable Behaviour of Claimants

King's Academy Bay House recognises that persons making complaints may feel aggrieved and that submitting a formal complaint may be the last resort after trying to resolve matters with the member of the Senior Leadership Team appointed by the Headteacher. King's Academy Bay House is also mindful of its duty to ensure the safety and welfare of its employees.

King's Academy Bay House is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service we do not normally limit the contact complainants have with School staff. However, King's Academy Bay House does not expect its employees to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and will take action to protect staff from that behaviour. When we consider that a complainant's behaviour is unacceptable, we will tell them why we find their behaviour unreasonable and we will ask them to change it. If the unacceptable behaviour continues, we will take action to restrict the complainant's contact with the School.

The decision to restrict access to specific members of staff or the School site will be taken by the Headteacher and Chair of Governors. Any restrictions imposed will be appropriate and proportionate, as determined by the Headteacher and Chair of Governors. The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only)
- requiring contact to take place with a named member of staff
- restricting telephone calls to specific days and times; and/or asking the complainant to enter into an agreement about their conduct

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it for example by referring their case to the EFA – see section 6.

When a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. When the behaviour is so extreme that it threatens the immediate safety and welfare of King's Academy Bay House employees we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

8. Management of policy

The King's Academy Bay House Board of Trustees has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes. King's Academy Bay House policies will be reviewed regularly and will include an evaluation for impact on workload and working hours.

Appendix 1 Complaint form

Please complete and return to the Complaints Officer, who will acknowledge receipt and explain what action will be taken, either at main reception or via email.

The form can be found here: [Complaint Form](#)

Annexe 1

1. Introduction

The Panel is set up under the School's "Concerns and Complaints Policy."

2. Aims of the Panel

The aim of the complaints panel, which will sit in private, is to resolve the complaint and achieve reconciliation between the School and the complainant. The panel is independent, and it has to be accepted that it may find in favour of either the complainant or the School.

3. Procedure

The hearing is as informal as possible, but the following steps will apply:

- a) The panel hears oral representations, unless both parties agree to proceed by written representations. In either case, the panel will sit in private
- b) After introductions, the panel checks that both parties have seen all correspondence and other documents arising since the start of the complaint
- c) The complainant is invited to explain their complaint
- d) The complainant may call witnesses, who may leave as soon as their evidence has been heard
- e) The Headteacher may question the complainant and the witnesses after each has spoken
- f) The Headteacher is invited to explain the School's actions and call any witnesses
- g) The complainant may question the Headteacher and his/her witnesses after each has spoken
- h) The panel may ask questions at any point
- i) The complainant is invited to sum up their complaint

- j) The Headteacher is invited to sum up the School's actions, and its response to the complaint
- k) Both parties leave at the same time
- l) The panel reaches its decision based on the oral or written representations, evidence from witnesses and any other relevant documents created since the start of the complaint process. The decision will be given in writing to both parties within 5 days

4. Panel Decisions

The Panel can:

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

A copy of the panel's findings and recommendations will, within five days of the hearing, be

- (i) provided to the complainant and, where relevant, the person complained about, and
- (ii) made available for inspection on the School premises by the Trust Board and the Headteacher/Chair of Governors.