



WESTROW

Westrow Complaints Policy and Procedures

Who can make a complaint?

This complaints procedure is not limited to parents or carers of students that are registered at the Academy. Any person, including apprentice employers, may make a complaint to Westrow Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, our Academy Principal, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, our Academy Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Westrow Academy will attempt to resolve the issue internally, through the stages outlined within this complaint’s procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Complaints against Academy staff (except the Academy Principal) should be made in the first instance, to our Academy Principal. Please mark them as Private and Confidential.

Complaints that involve or are about the Academy Principal should be addressed to Westrow Directors, via Westrow Head Office. Please mark them as Private and Confidential.

Complaints about the Westrow Directors, should be addressed to Education and Skills Funding Agency.



For ease of use, Westrow Academy complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Academy. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Academy Principal or Westrow Directors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within six weeks of the incident or, where a series of associated incidents have occurred, within six weeks of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Scope of this complaints procedure

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

Exceptions	Who to contact
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Academy's Safeguarding Officer.
• Staff grievances	Complaints from staff will be dealt with under the Academy's internal grievance procedures.

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 this happens, we will inform you of a proposed new timescale.

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



Resolving complaints

At each stage in the procedure, Westrow Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review Academy policies in light of the complaint
- an apology.

Withdrawal of a complaint

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

Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the Tutor or Reviewer.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within twenty working days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the Academy Principal. This may be done in person or in writing (preferably on the Complaint Form).

The Academy Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five working days.

Within this response, the Academy Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Academy Principal can consider whether a face to face meeting is the most appropriate way of doing this.



During the investigation, the Academy Principal (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head teacher will provide a formal written response within twenty working days of the date of receipt of the complaint.

If the Academy Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Westrow Academy will take to resolve the complaint.

The Academy Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Academy Principal, Westrow's Directors will complete all the actions at Stage 2.

Complaints about the Academy Principal should be raised with the Directors, via the Head Office.

If the complaint is:

- Academy Principal

Stage 2 will be considered by Westrow Directors. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the Academy. This is the final stage of the complaint's procedure.

A request to escalate to Stage 3 must be made to the Directors, via the head office, within seven working days of receipt of the Stage 2 response.

The Directors will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.



The Directors will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within ten working days of receipt of the Stage 2 request. If this is not possible, the Director will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Director will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

Stage 3 will be heard by a completely independent committee panel.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if an Academy Principal is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

At least ten working days before the meeting, the Director will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least five working days before the meeting.

Any written material will be circulated to all parties at least three working days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the Academy or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Westrow Academy with a full explanation of their decision and the reason(s) for it, in writing, within ten working days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Westrow Academy.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Westrow Academy will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the Academy premises by the proprietor and the Academy Principal.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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.

Next Steps

If the complainant believes the Academy did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Westrow Academy. They will consider whether Westrow Academy has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry, CV1 2WT



Complaint Form

Please complete and return to Westrow Tutor, Reviewer or Westrow Academy Principal who will acknowledge receipt and explain what action will be taken.

Your name:
Students name (if relevant):
Your relationship to the student (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether you have spoken to anybody at the academy about it.
What actions do you feel might resolve the problem at this stage?



Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Action taken:
Date: