



# MacIntyre Academies Endeavour Academy

## Complaints Policy and Procedure

<b>Person Responsible:</b>	Principal/Assistant Principal/Registered Manager
<b>Date of first draft:</b>	July 2014
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<b>Date of next review:</b>	May 2021

## Complaints Policy and Procedure

The Local Advisory Board of Endeavour Academy have drawn up the following complaints procedure in the belief that it is important that parents and others are clear about the procedures to be followed in making a complaint and with the assurance that any complainant will be dealt with sympathetically and speedily.

Certain types of complaint are subject to statutory procedures that are separate from this general complaints procedure. These include:

- Admissions;
- Exclusions;
- Freedom of Information & Data Protection;
- Child Protection/Safeguarding;
- Statements of Special Educational Needs (SEN);
- Complaint by a member of school staff.

This procedure should be read in conjunction with the DFE Guidance: Academy Complaint Procedure.

Aside from the areas set out above, this procedure applies to any matter which has been raised with the Academy as a matter of concern but which has not been capable of resolution informally and which the complainant or the Academy considers should be dealt with on a formal basis. Generally, it is expected that where the matter relates to a child/young person it will have been raised with the child's/young person's class teacher or residential team leader before a request is made to deal with it under this policy.

It is a precondition to the operation of this procedure that the complainant shall have made reasonable attempts to seek an informal resolution as set out in Step 1 below and shall have acted in relation to the matter in a reasonable and measured way. The Chair of LAB shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

All decisions must be reported to the full Local Advisory Board and a written record will be kept of all complaints whether resolved at the preliminary stage or proceed to a panel meeting.

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 162A of the Education Act 2002 requests access to them.

## Our Complaints Procedure

We believe there is a free flow of information between home and school/house but recognise there may be times when misunderstandings arise, parents may be concerned about aspects of their child's progress or parents may be unhappy about a particular event or activity which they have heard has taken place. In any event it is important parents do not keep a problem or concern to yourself but approach the Academy.

### **Step 1 – (a) Informal discussion with Class Teacher or Residential Team Leader**

Before making a formal complaint, you must be clear about your concern and discuss this with an appropriate member of staff.

The first point of contact for a specific concern should always be the appropriate teacher or residential team leader. If you are not sure who is most appropriate, explain your concern to your child's class teacher, who will be able to suggest whom it is best to speak to.

If your complaint relates to Endeavour House then initial contact should be with the Residential Team Leader.

It is preferable if you can agree a time and place to discuss any concerns in peace and quiet rather than at a time when the teacher/residential Team Leader concerned is possibly surrounded by other children and/or parents. This could be a telephone conversation at an agreed time.

We would expect most problems to be resolved in this informal way by a frank and open discussion, free from distraction.

Please remember that all members of staff wish to help reassure parents by listening and helping parents to meet with the most appropriate person.

### **Step 1 (b) – Informal discussions with Senior Members of staff and Academy Principal**

Sometimes you may still feel dissatisfied with the outcome of your discussions and want to discuss the matter further with a Senior Member of staff or the Academy Principal. If you are in this situation you may wish to make an appointment with the appropriate person. An appointment will be arranged as soon as possible (usually within 10 school days).

### **Step 2 – Formal Investigation**

If, following informal discussions, parents are still dissatisfied, they must put their concerns in writing to the Academy Principal. Parents must set out briefly the facts and what they consider should have been done or where the School has not met reasonable expectations.

An investigation will be carried out by a member of the Senior Leadership Team - made up of the Academy Principal, Deputy Principal, Head of Care, Assistant Head of Care Operations Manager or Service Improvement Manager- who may offer you a meeting and who will speak to others involved. Whenever reasonably possible, the meeting with the complainant will take place within 15 working days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant.

Please Note: Any complaint relating to the Academy Principal must be raised in the first instance with the Chief Operating Officer of the Academies or / and Director of Education, Children and Young people's Services, Macintyre or the chair of Local Advisory Board) who will, if an informal resolution cannot be reached, designate a Local Advisory Board member to investigate in the same way as in the first stage of the formal process outlined above.

### **Step 3 – Formal investigation by the Local Advisory Board**

If the problem cannot be resolved at Step 2, you may request the complaint be considered by the Complaints Panel of the Local Advisory Board which will comprise of at least 3 people

and which will include one person who is independent of the management and running of the School.

3 (a) The complaint must be in writing, addressed to the Clerk of the Local Advisory Board and be sent within 10 school days of the investigation response at Step 2. The complaint should set out precisely why you are dissatisfied and what you wish to be done.

3 (b) The Clerk will invite the School to put in writing its response to the complainant's reasons. The School will do this within 15 school days and at the end of that period (whether or not the School has responded) the Clerk will convene a meeting of the Complaints Panel of the Local Advisory Board. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the School and the members of the Panel.

Whenever possible, the meeting will be held within 15 school days of the end of the School's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

3 (c) The Panel meeting will be structured but relatively informal. The process will be explained to you in advance of the meeting. New issues may not be raised at the meeting.

3 (d) The Panel may make findings and recommendations and a copy of those findings and recommendations will be;

- (i) Sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about
- (ii) Available for inspection on the Academy premises by the Academy Trust.

3 (e) The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days of the meeting concluding, and the Clerk to the Local Advisory Board will notify all concerned.

### **Independent process**

If parents feel that Endeavour Academy has not treated them fairly, or not done what they reasonably could, you may take your complaint to the local authority that pays for the child's/young person's place at the school.

If your complaint is that the school is not complying with legal regulations governing independent schools, you can contact Department for Education public enquiries on 0370 000 2288, or at [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus). The Department is happy to take information from you, but will not investigate individual complaints, only look at regulatory issues.

**Ofsted** is the official body for inspecting schools. It cannot investigate individual complaints, but you may contact them if you have a concern about the quality or safety of the School:

Telephone: 0300 1234 234  
 Website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
 Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Write to: Enquiries, National Business Unit, Ofsted, 5th, 6th and 7th Floors,  
 Piccadilly Gate, Store Street, Manchester M1 2WD

**Ofsted's Whistleblowing Hotline** may be contacted in three ways:

Telephone: 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk).

Write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

If you consider that a child/young person at the school is at risk of or being abused, you should immediately contact the **Oxfordshire Safeguarding Emergency Duty Team on 0800 833 408**.

### Recording complaints

Endeavour Academy will keep a written record of all complaints, which may contain the following information:

- Date when the issue was raised
- Name of person making the complaint
- Name of student(s)
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversation).

### Confidentiality

Correspondence, statements and records relating to individual complaints will be kept for 3 years confidentially except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 (as amended) requests access to them, or under other legal authority.

### Compliance with legislation and guidance

This procedure has been drawn up in accordance with:

- Part 7 (paragraph 25) of Schedule 1 of the Education (Independent Schools Standards) (England) Regulations 2010
- Standard 18 of the National Minimum Standards for Residential Special Schools
- Section 24 of the Children's Homes Regulations 2015 and Quality standards

### Complaints by Young People

The same complaint procedure must be followed when complaint is raised on behalf of the young people we support. Our young people have a right to raise concerns about any aspect of the services they are not happy about. Endeavour Academy offers young people additional communication aids which can assist them when making a complaint. Parents, guardians, external agencies as well as staff can help when a young person is making a complaint. Due to the cognitive levels, communication difficulties and the differences in social understanding of people with Autism some complaints might need to be made on their behalf. All Endeavour Academy staff have a responsibility to monitor and evaluate a young person's emotional state and act on any changes accordingly.

Staff must monitor any changes in young person's behaviour which might indicate discomfort or unhappiness. Staff will be mindful of:

- Emotional discomfort of the young person presented by distressed behaviours including crying, shouting, uncontrollable laughter, displaying behaviours of concern.
- Displaying behaviour of concern by the young person during a specific activity; time of the day, routine or when supported by specific person.
- Unusual behaviours presented during specific activity; time of the day or routine.
- Over-compliance when supported by specific person.

To ensure that our young people feel listened to a written/ symbol complaint completed by them or on their behalf will be always forwarded to a member of Senior Leadership Team. Copies of the complaint forms are keep in each classroom and in communal areas of Endeavour House and Endeavour Short Breaks. An accessible (photos, symbols) response will be given to the young person within 2 days. This response will state what the member of SLT has done/is going to do to resolve the complaint. Step 2 and step 3 of the complaint procedure will be followed should the complaint remained unresolved by the SLT.

The school database of young people's complaints will be accessible on request and reported on during Local Advisory Board meetings.