

The Learning Academy Trust

Complaints Procedure



General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to The Learning Academy Trust (Trenance Learning Academy, St. Newlyn East Academy, Foxhole Learning Academy, Falmouth Primary Academy, St Merryn School, The Bishops' CEVA Learning Academy, Constantine School, Mabe School, Trevisker School.) or the services that it provides.
- The Academy has adopted/will adopt this procedure for complaints from people who are parents/carers of pupils attending the Academy at the time the complaint is made.
- The Academy will usually also follow this procedure when dealing with complaints from others but reserves the right to substitute this procedure for an alternative process where it is appropriate to do so. Complainants will be informed about the procedure that will be used to consider their complaint as soon as possible after their complaint is received by the Academy.
- This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:
 - staff grievances or disciplinary procedures
 - admissions
 - exclusions
 - issues related to child protection
- To enable a proper investigation, concerns or complaints should be brought to the attention of the Academy as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.
- If, at any stage, the Academy believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Headteacher or Chair of the Local Advisory Board or Hub may write to you to refuse to consider the concern or complaint under this procedure and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this procedure.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.
- A written record will be kept of all complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an Academy inspection or under other legal authority.

Raising a concern or complaint

1. Informal Stage

Many concerns can be resolved by simple clarification or the provision of information.

Where a complaint is about your child or a child attending the Academy, it is normally appropriate to communicate directly with the child's class teacher. Where the complaint is about a member of staff, it is normally appropriate to communicate directly with them in the first instance. This may be by letter, by telephone or in person by appointment, requested via the Academy office. If you wish to hold a meeting to discuss your concern or complaint, it is helpful if you can explain the nature of your concern or the complaint in advance. You may wish to use the Meeting Request Form provided. It is anticipated that most complaints will be resolved by this informal stage within 10 working days of being notified of the complaint.

In the case of serious concerns it may be appropriate to address them directly to the Headteacher (or to the Chair of the Local Advisory Board or Hub, if the complaint is about the Principal).

If you are uncertain about who to contact, please seek advice from the Academy Office.

It is anticipated that most complaints will be resolved by this informal stage within 10 working days of being notified of the complaint.

2. Formal Stage

If your concern or complaint is not resolved to your satisfaction at the informal stage or you wish the complaint to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Headteacher who will be responsible for ensuring that it is investigated appropriately. If your complaint is about the Headteacher, your complaint should be passed to the Clerk to the Local Advisory Board or Hub.

A Complaint Form is provided to assist you.

Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the Academy to take to resolve your concern. Without this, it is much more difficult to proceed. You may wish to use the Complaint Form provided.

Your written complaint will be acknowledged within 5 school days of receipt. Please pass the completed form, in a sealed envelope to the Academy office. The envelope should be addressed to the Headteacher, or to the Chair of the Local Advisory Board, as appropriate.

The Headteacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by one other person such as a relative or friend, who should not be legally qualified, a friend (if you wish) to assist you in explaining the nature of your concerns. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

It is possible that your complaint will be resolved through a meeting with the Headteacher (or Chair). If not, arrangements will be made for the matter to be fully investigated.

Following investigation, the Headteacher (or Chair) will notify you in writing of their decision and the reasons for it. Where possible, this will be within 15 school days of receipt of the complaint.

3. Panel Hearing Stage

If you are dissatisfied with the decision of the Headteacher (or Chair) under the Formal Stage or if you are not satisfied with the manner in which the process has been followed, you may request that a Review Panel of the Board of Trustees of TLAT is convened to reconsider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and Stages 2. To request a hearing before the Review Panel, you should write to the Company Secretary at Mor Workspace, Treloggan Lane, Newquay, TR7 2FP. Any such request must be made in writing to the Company Secretary within 10 working school days of receiving notice of the outcome of the Formal Stage.

You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you desire. You may wish to use the Complaint Form provided to assist you, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request Form is provided for your convenience. The Company Secretary will acknowledge your request in writing within 5 school days of receipt.

The parents/carers can be accompanied at a Panel Hearing if they wish.

Review Process

Any review of the process followed by the Academy will be conducted by a panel of at least three members, consisting of two members appointed by the Trustees of TLAT and one other independent person who has not previously been involved in the process.

Every effort will be made to enable the hearing to take place within 15 school days of the receipt of your request. You will be sent written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the Panel. Copies of any additional documents you wish the Panel to consider should be sent to the Company Secretary at least 3 school days prior to the hearing. The Panel reserves the right not to consider any documentation presented after this.

You will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend, who should not be legally qualified. The Company Secretary or nominated deputy will also attend the hearing in order to keep a record of the proceedings.

The Review Panel will be conducted in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

After the hearing the Panel will consider their decision and inform you of their decision in writing within 5 school days. The Panel can:

- Request further information from you and/or the Academy to assist them in making their decision
- 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 Academy's systems or procedures to ensure that problems of a similar nature do not reoccur

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The Academy reserves the right to rearrange the date of any meeting at any stage should new information regarding the complaint be submitted.

4. Referral to the Education Funding Agency (EFA)

If you are dissatisfied with the decision of the Review Panel, you are entitled to refer your complaint to the Education Funding Agency who have limited powers to review the Academy's handling of the complaint in accordance with the EFA's 'Procedure for dealing with complaints about Academies'. At the time of writing this procedure, the EFA procedure and the EFA Academy complaints form are available at:

<http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school>

Date Reviewed: January 2014/November 2016

Date of Next Review: November 2018

The Learning Academy Trust : Meeting Request Form

I wish to meet [] to discuss the following matter:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Your Name:
Relationship with the Academy (e.g. parent/carer of a pupil on the Academy roll):
Pupil's name (if relevant to the matter to be discussed)
Your Address:

Telephone Numbers: Daytime: Evening:
e-mail address:

[Please complete this form and return it to the Academy office]

Academy Use:
Date Form received: Date response sent:
Received by: Response sent by:

Please complete this form and return it, via the Academy office, to the Principal (or Company Secretary), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your Name:

Relationship with the Academy (if relevant to your complaint):

Your Address:

Telephone Numbers: Daytime:

Evening:

e-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc...) to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature Date

Academy Use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

The Learning Academy Trust: Complaint Review Request Form

Please complete this form and return it to the Principal (or Company Secretary), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone Numbers: Daytime:

Evening:

e-mail address:

Dear Sir

I submitted a formal complaint on the Academy on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the Academy.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached =

What actions do you feel might resolve the problem at this stage?

Signature Date

Academy Use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			