



New Horizon Academy

Complaints Procedure

Reviewed July 2024

Introduction

It is our intention to ensure that we achieve our mission and that our stakeholders are satisfied with our facilities and services. To that end, we invite stakeholders to let us know if they think we are not living up to our commitment. This policy outlines the procedures that can be used to raise concerns or complain about our facilities or services. An up-to-date copy of this policy will be published on the Academy website according to the requirements of paragraph 32 of the Independent Academy Standards,

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the Academy. Any person, including members of the public, may make a complaint to New Horizon Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures, 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. New Horizon 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, the Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, New Horizon Academy will attempt to resolve the issue internally, through the stages outlined within this complaints 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.

Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual members of the governance committee to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

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

Complaints that involve or are about the Headteacher should be addressed to the Operations Manager via the Academy office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Academy office. You can also ask third party organisations 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 Headteacher or Operations Manager, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

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

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first Academy Day after the holiday period.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> Exclusion of children 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/Academy-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our Academy should complain through the Academy's complaints procedure.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the Academy's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the Academy's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use Academy premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

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

Resolving complaints

At each stage in the procedure, New Horizon 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 Resolution

Informal complaints can be raised in person or over the telephone.

If a parent/ carer is raising the concern, this can initially be raised with the class teacher of the pupil concerned. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the teacher cannot resolve the matter alone, it may be necessary for him or her to consult the Headteacher.

Complaints about Academy facilities, services, or staff (except the Headteacher) should be made in the first instance, the Headteacher via the Academy office.

Complaints that involve or are about the Headteacher should be made to the Operations Manager, via the Academy office.

The person dealing with the complaint will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within **10 Academy days** complainants may proceed with their complaint in accordance with Stage 2 of this Procedure.

Stage 2: Formal Resolution

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the Academy office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone. Written complaints must be marked private and confidential.

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

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

Note: The Headteacher may delegate the investigation to another member of the Academy's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (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 Headteacher will provide a formal written response within **20 Academy days** of the date of receipt of the complaint.

If the Headteacher 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 New Horizon Academy will take to resolve the complaint.

The Headteacher 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 Headteacher, or a more Senior Member of Staff such as the Operations Manager or the Proprietor

Stage 2 will be considered by an independent investigator

At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 3: Appeal

- 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 – an appeal to an independent panel, which will be appointed by or on behalf of the proprietor and consist of at least three people who were not directly involved in matters detailed in the complaint and of at least one panel member is independent of the management and running of the school the school have identified this person as **John Dews an independent HR Professional**.

This is the final stage of the complaint's procedure.

- A request to escalate to Stage 3 must be made to the Proprietor within 21 school days of receipt of the Stage 2 response.

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

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

- The Proprietor will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 21 school days of receipt of the Stage 3 request. If this is not possible, the Proprietor will provide an anticipated date and keep the complainant informed.

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

- The complaints panel will consist of at least three members with no prior involvement or knowledge of the complaint and a person who is not involved in the management of the school – currently this is **John Dews an independent HR Professional**

Note:

Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. The Proprietor will source any additional, independent members required to be on the panel to make up the necessary number required.

Alternatively, an entirely independent committee may be convened to hear the complaint at

Stage 3 Procedure:

- The complainant will be invited to attend the meeting; they may bring someone along 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. Representatives from the media are not permitted to attend.
- At least 14 school days before the meeting, the Chair 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 and request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.
- Any written material will be circulated to all parties at least 5 school 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
- 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.

Note:

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 school's systems or procedures to prevent similar issues in the future.
- The Chair of the Panel will provide the complainant and New Horizons Academy with a full explanation of their findings, recommendations, and the reason(s) for these, in writing, within 7 school days. A copy of those findings and recommendations is to be made available for inspection on the school premises by the Proprietor and the Headteacher.
- The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by New Horizon Academy

- If the complaint is about:
 - The Proprietor
 - The entire Academy Senior Management Team
 - The majority of the Academy Senior Management Team

Stage 3 will be heard by a committee of appropriate independent Professionals and their 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 New Horizon Academy will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Records

New Horizon Academy will keep records of all concerns and complaints. The number of formal complaints received each year will be published on the school's website according to the requirements of paragraph 32 of the Independent School Standards

Next Steps

If the complainant believes the school 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 Department for Education after they have completed Stage 3.

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

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

Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.