Complaints Policy

2025-26

Description: This policy relates to complaints about the educational work of the academy and typically applies to complaints made by parents and carers of students although it may be used by anyone who has contact with the academy. It does not relate to matters which are governed by employment legislation or those where the principle of civil contract law would normally apply, eg, services/contracts entered into with the academy.

1. Policy Statement

1.1. At KAA, staff all work very hard to build positive relationships with parents, carers and the community. The school's aim is to deal with issues and problems before they become a formal 'complaint'. Staff will try to resolve problems informally wherever possible. A timely, effective response and appropriate redress will be provided to all complaints as swiftly as possible, dependent upon the complexity of the issues involved.

2. Statutory Obligations

2.1. Complainants should be aware that there is a complaints procedure and copies of this policy will be available on the academy's website.

2.2. If the process results in an appeal to the Trustees, the procedure is statutory.[1]

3. Dealing with complaints

3.1. At each stage, the person investigating the complaint will ensure that they:

- Clarify the nature of the complaint and unresolved issues
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep notes of any interview(s) held

3.2. At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:

- An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)
- An apology
- An explanation
- An assurance and an explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review academy procedures in light of the complaint

3.3. A written record will be kept of all formal complaints whether they are resolved following a formal procedure (Stage 2 or Stage 3) or proceed to a panel hearing (Stage 4), including action taken by the

1 Schedule 1, paragraph 7, The Education (Independent School Standards) (England) Regulations 2010

academy as a result of the complaint, regardless of whether the complaint is upheld. In these circumstances:

- The Principal is responsible for ensuring that complaints and outcomes are recorded
- Records relating to individual complaints are confidential, except where the Secretary of State or a statutory body[2] conducting an inspection requests access to them under section 109 of the 2008 Act
- The Board of Trustees will monitor the level and nature of complaints and review the outcomes on a regular basis.

4. Anonymous complaints

4.1 The Academy will not normally investigate anonymous complaints. However, the Principal or Chair of Trustees will, if appropriate, determine whether the complaint warrants an investigation.

5. Time scales

5.1 Complainants 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. The Academy will consider complaints made outside of this time frame only if exceptional circumstances apply.

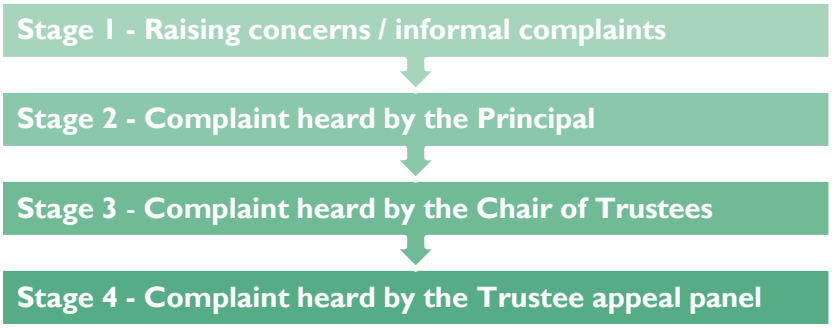
5.2 The Academy will endeavour to abide by timeframes stated under each stage but acknowledges that this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

6. Complaints received outside of term time

6.1 The Academy will consider complaints made outside of term time to have been received on the first school day after the holiday period.

6.2 Where a complaint is received near to a period of academy closure for a school holiday, the timeframe for response does not include the holiday period.

7. Complaints procedure



2 Under section 163 of the Education Act 2002

7.1 **Stage 1: Informal complaints**

Verbal informal complaints may be made to staff, usually at the end of the school day or to the Principal by appointment. A verbal or written response may be given to an informal complaint, usually within 3 school days. It is in everyone's interest that complaints are resolved at the earliest possible stage. Experience shows that the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate, to that end staff should be made aware of the procedures and know what to do when they receive a complaint.

If the complainant is unsatisfied of the response at stage 1, a written complaint should be made to the Principal within 10 school days.

7.2 **Stage 2: Complaint reviewed by the Principal**

If someone wants to make a formal complaint, they must adhere to the following procedure. The complaints should be sent in writing to the Principal's Executive Assistant, Sue Hashemi at s.hashemi@kaa.org.uk. The complainant should include details of:

- The complaint
- Any attempts they made to raise/resolve the complaint with the staff member(s) involved (who they spoke to and when)
- Actions they feel might resolve the problem
- Any staff they would prefer not to discuss the issue with

A staff member (not the subject of the complaint) nominated by the Principal will acknowledge the complaint within five school days of it being lodged. Following the investigation, the academy will aim to provide a response within 10 school days. The time scale may be extended if the nature of the complaint is judged by the Principal to be of a complex nature.

If the complainant is unsatisfied of the response at stage 2, a written complaint should be made to the Chair of Trustees within 10 school days of getting the response at Stage 2.

In exceptional circumstances parents/carers may wish to complain about the Principal where issues have been raised and not resolved in a way which is satisfactory to the parent/carer. Where a complaint regards the Principal, the complainant should first directly approach the Principal in an attempt to resolve the issue informally. If the matter cannot be resolved informally the correct procedure is for the complainant to write to the Chair of Trustees. The Stage 3 process will then commence, but with the Chair of Trustees as the individual responsible for the investigation.

Where a complaint regards a Trustee, the same process applies as for the Principal. Where a complaint concerns the Chair of Trustees, the individual should contact the Clerk to the Trustees. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 3 will take immediate effect.

7.3 **Stage 3: Complaint reviewed by the Chair of Trustees**

A stage 3 complaint should be sent to the Clerk to the Board of Trustees, Anna Machin at a.machin@kaa.org.uk. The complainant should write to the Clerk with:

- Details of their previous communication
- The reason why they are still not satisfied

The academy will acknowledge the complaint within 5 school days of receiving it and a meeting may be convened to discuss the matter further. Following an investigation, the Chair of Trustees will aim to provide a written response within 20 school days of sending out the acknowledgment.

If the complainant has not yet tried to resolve the matter directly with this school via a Stage 1 and Stage 2 complaint, the Clerk will refer the complainant to the Academy staff in the first instance.

If the complainant is unsatisfied of the response at stage 3, a letter asking that the complaint is put before the Trustee appeal panel should be sent to the Clerk of Trustees within 10 school days of getting the response at Stage 3.

7.4 Stage 4: Complaint heard by the Trustee appeal panel

A stage 4 complaint should be sent to the Clerk to the Board of Trustees, Anna Machin at a.machin@kaa.org.uk. The complainant should write to the Clerk with:

- Details of their previous communication with the Principal and the Chair of Trustees
- The reason why they are still not satisfied
- The outcome they would like to request from the Trustee panel to resolve the complaint

The complaint will be acknowledged within 5 school days of receiving it. The Trustees will convene a complaints panel which will normally take place within 20 school days. Every effort will be made to deal with complaints expeditiously.

7.4.1 Constitution of the panel

The Clerk to the Trustees will convene a complaints panel:

- The panel will consist of at least three people
- At least one of the members of the panel must be independent of the management and running of the academy
- No member can have been directly involved in previous consideration of the complaint
- The panel nominates a Chair
- Individual complaints must not be heard by the whole Board of Trustees at any stage

7.4.2 Remit of the panel

The panel can:

- 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 recur

7.4.3 Proceedings of the panel

- The appeal will be closed to the public

- The complainant may attend and be accompanied
- Witnesses will only be required to attend for the part of the hearing in which they give their evidence
- The panel may ask questions at any point
- The panel will deliberate in private
- The panel will make findings and recommendations, and:
    i. provide a copy of those findings and recommendations to the complainant and, where relevant, the person complained about
    ii. make available the findings and recommendations for inspection on the school premises by the Trustees and the Principal
- The panel will inform the complainants of the decision in writing as quickly as possible and in no more than five school days
- The decision of the appeal panel is final

7.4.4 Role of the Clerk to the Board of Trustees

The Clerk to the Board of Trustees will be the contact point for the complaint and will be required to:

- Set the date, time and venue of the hearing
- Collate any written material and send it to the parties in advance of the hearing
- Record the proceedings
- Notify parties of the panel's decision

7.5 If the complainant feels that the academy has acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. For more information, please consult https://www.gov.uk/complain-about-school.

8 Dealing with persistent, malicious or vexatious complaints

8.1 KAA reserves the right to deny investigation of any complaints which are considered to be vexatious, malicious or those relating to a previous complaint that has already been investigated and resolved.

8.2 In the case of vexatious or persistent complaints, the Chair of the Board of Trustees will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

9 Responsible person

9.1 The person in charge of co-ordinating the complaints at the academy is the Principal. The role of the Trustees arises only in respect of appeals where the complainant remains dissatisfied with attempts to resolve the issue of complaint.

10 Safeguarding

10.1 Wherever a complaint indicates that a child's wellbeing or safety is at risk, the Academy or the Trust is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the Academy's safeguarding policy details of which can be found on the relevant academy website.

11 Social Media

11.1 In order for complaints to be resolved as quickly and fairly as possible, the Academy requests that the complainants do not discuss complaints publicly via social media such as Facebook, Instagram, Snapchat or X (formerly Twitter). Complaints will be dealt with confidentially for those involved, and the Academy expects complainants to observe confidentiality also.

12 Complaints to Academy Sponsors

12.1 Where a complaint is made direct to the academy sponsors, Aldridge Education or the Royal Borough of Kensington & Chelsea (RBKC), it will be forwarded to the Academy.

13 Relevant legislation and guidance

- The Equality Act 2010 http://www.legislation.gov.uk/ukpga/2010/15/contents
- The Data Protection Act 1998 http://www.legislation.gov.uk/ukpga/1998/29/contents
- The Education (Independent School Standards) Regulations 2014 *http://www.legislation.gov.uk/uksi/2014/3283/contents/made*
- Education Act 2002 *http://www.legislation.gov.uk/ukpga/2002/32/contents*
- The Department for Education *Best Practice advice for school complaints procedures* https://www.gov.uk/government/publications/school-complaints-procedures