Complaints Policy 2026 - 2027

Statement of policy

Bay Learning Academy CIC must be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints.

Concerns should be handled, if possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. It would be helpful if staff were able to resolve issues on the spot, including apologising, where necessary, or within 5 working days.

Bay Learning Academy CIC will meet and respond to its responsibilities under the Equality Act 2010.

Reports and recommendations will be available for inspection on the Academy premises by the Principal and provided to the complainant and, where relevant, the person the complaint was about.

A written record will be kept of all complaints made and considered on an informal basis, along with whether resolved or progressed to a formal procedure.

The academy will record the actions it takes because of complaints (regardless of whether they are upheld).

Correspondence, statements and records relating to individual complaints will be kept confidential and processed in accordance with the UK GDPR and Data Protection Act 2018, except where disclosure is required by law, safeguarding duties, an awarding or regulatory body, or a commissioning authority acting within its lawful powers. Section 109 of the Education and Skills Act 2008 concerns inspection of registered independent schools and is not relied upon as a direct duty for Bay unless Bay's registration status changes.

Dealing with Complaints: Formal Procedures

Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. Such complaints should be made in writing to the Principal.

Bay Learning Academy CIC will assist, when necessary, in appointing a nominated person (Investigating Officer) to formally investigate the complaint.

Aim

This policy aims to enable constructive feedback to be made to the Academy. Any issues or incidents will be dealt with efficiently and effectively.

Framework of Principles

An effective Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time limits for action and keep people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information so that services can be improved
- provide complainants with written responses where appropriate and if requested
- Investigating Complaints

At each stage, the person investigating the complaint, the nominated person, should ensure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint, through a written statement, and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, with a colleague present or parent/carer in the case of a learner
- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes, indicating whether the complaint was resolved and at which stage

Resolving Complaints

At each stage in the procedure, the academy will consider ways to resolve a complaint. It might be sufficient to acknowledge that the complaint is valid in whole or in part.

In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps staff have taken to ensure that it will not happen again
- an undertaking to review policies in light of the complaint
- Complainants should be encouraged to state what actions they feel might resolve the problem at any stage.

An admission that the Academy could have handled the situation better is not the same as an admission of negligence.

It should be noted that unacceptable behaviour from complainants would not be tolerated:

- acting outside of the law
- if it jeopardises the health and well-being of staff or learners
- abusive language and behaviour towards staff or learners

In the event of any of the above, appropriate steps will be taken:

- ask the complainant to leave the Academy premises
- in repeated circumstances, if the complainant's behaviour is inappropriate towards a member of staff, they may be banned from the site for a fixed period of time
- Refer to the relevant authorities (LA, Safeguarding, Police etc.)

Time Limits

Complaints will be considered and resolved as quickly and efficiently as possible. Realistic time limits for each action within each stage must be set and communicated to the complainant. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

At each stage, clarification of exactly who will be involved, what will happen, and how long it will take must be communicated. There may, on occasion be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved. The Principal may require further investigations after a meeting with the complainant.

In most cases, complaints can be heard and resolved at the Academy during Stages 1 and 2. In the event this is not the case, the Principal will appoint an Investigating Officer.

The following stages are likely to be sufficient:

Stage 1 – Informal

The complaint was heard by a member of staff at the Academy, resolved at the time, recorded and a written response given within 5 working days.

Where the complainant is not satisfied with the response given at stage 1, then the complainant can escalate the complaint to stage 2 (this will not happen automatically). The complainant must put the complaint in writing to the Principal or, if the complaint is about the Principal, to the appointed person within 10 working days of the written response.

Stage 2 – Formal

If the complaint is not resolved at the informal stage 1, or the complainant feels the concerns are more serious in nature, then the complaint should be put in writing and passed on to the Principal. A written response will be sent within 10 working days.

The Principal should then arrange a meeting with the complainant to resolve the complaint. If the complaint cannot be resolved, then they can appoint an Investigating Officer to formally investigate the complaint.

Where the complainant is not satisfied with the response given at stage 2, then the complainant can escalate the complaint to stage 3 (this will not happen automatically). The complainant must put the complaint in writing to the Principal (or the appointed person, if the complaint is about the Principal) within 10 working days of the written response.

A panel will be appointed consisting of at least three people who were not directly involved in the matters detailed in the complaint. Reasonable notice will be given to the complainant of the date of the panel hearing. The complainant can be accompanied to the panel hearing if they wish.

A written record will be kept of all complaints raised at the formal stage, whether they are resolved following a formal procedure or proceed to a panel hearing, and any actions taken by the Academy because of those complaints.

Stage 3 – Panel Hearing

Complaint heard by the Complaints Committee. This will usually take place within 10 working days of the receipt of the written complaint. The complainant will be informed in writing of the outcome within 5 days of the panel hearing, and the matter will then be closed.

Managing and Recording Complaints

A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff should ensure that the complainant and the Academy have the same understanding of what was discussed and agreed upon. A brief note of meetings and telephone calls should be kept, and a copy of any written response added to the record.