



Complaints Policy

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1. Purpose

The English Academy (TEA) is committed to providing a high-quality education and a safe, supportive and positive environment for all students.

The Academy values constructive relationships with parents and recognises that, from time to time, parents may have concerns or complaints about the education, care, welfare or other provision made by the Academy.

The purpose of this policy is to ensure that:

- complaints are dealt with fairly, consistently and promptly;
- parents know how to raise a concern or formal complaint;
- complaints are investigated appropriately and impartially;
- appropriate action is taken where a complaint is upheld;
- lessons are learned and used to improve the Academy;
- complaints are handled confidentially and sensitively; and

2. Scope

This policy applies to complaints made by parents or carers concerning their child's education, welfare, care or experience at The English Academy.

The Academy will also consider concerns raised by other individuals where appropriate, although the formal three-stage procedure is primarily intended for complaints made by parents of students.

Some matters may be dealt with under separate Academy procedures rather than through this complaints procedure. These may include:

- safeguarding and child protection concerns;
- staff disciplinary or grievance matters;
- student disciplinary matters;
- admissions decisions;
- exclusions.

3. Principles

The Academy will ensure that complaints are:

- taken seriously;
- treated respectfully and without prejudice;
- investigated objectively and fairly;
- dealt with as promptly as reasonably practicable;
- handled confidentially;
- considered on the basis of evidence;
- responded to in writing at the formal stages;
- recorded appropriately; and
- used, where appropriate, to improve Academy provision.

The Academy expects complainants to behave reasonably and respectfully towards staff.

Making a complaint will not adversely affect a student's education or access to Academy provision.

4. What is a complaint?

A complaint is an expression of dissatisfaction about an action, decision, omission or aspect of the Academy's provision where the complainant is seeking an explanation, resolution or action by the Academy.

The Academy distinguishes between:

Concern

A concern is normally an informal expression of dissatisfaction which can potentially be resolved quickly through discussion or clarification.



Formal complaint

A formal complaint is a written complaint submitted under Stage 2 of this procedure because the matter has not been resolved informally or because the nature of the complaint makes formal investigation appropriate.

5. Timescale for raising a complaint

Complaints should normally be raised as soon as reasonably practicable after the matter giving rise to the complaint.

Where possible, complaints should normally be raised within **14 working days** of the event or matter concerned.

However, this is **not an absolute deadline**. The Academy will exercise reasonable discretion where:

- the matter is ongoing;
- the parent only became aware of the matter later;
- additional time was reasonably required to establish the facts;
- there are relevant circumstances affecting the complainant's ability to raise the complaint; or
- there is another good reason why the complaint could not reasonably have been raised earlier.

The Academy will not normally investigate historic matters where there is insufficient evidence to reach a fair conclusion.

6. Stage 1 – Informal Resolution

The Academy believes that most concerns can and should be resolved informally wherever possible.

Parents are encouraged to raise concerns promptly with the member of staff most directly involved.

Normally:

- parents of students in KG to Year 6 should initially contact the Class Teacher;
- parents of students in Years 7 to 13 should initially contact the Form Tutor;
- where appropriate, parents may contact the relevant Head of Year, Year Leader or Head of Department.

A parent may request a meeting, telephone discussion or communicate by email.

The member of staff receiving the concern should:

1. listen carefully to the concern;
2. clarify the issue;
3. establish the relevant facts;
4. explain the Academy's position where appropriate;
5. seek to resolve the matter; and
6. record the concern and action taken where appropriate.

Where a matter cannot be resolved by the Class Teacher/Form Tutor, it may be referred to the appropriate Head of Department, Head of Year/Year Leader, member of the Leadership Team or School Principal.

A complaint may be referred directly to a senior leader where the circumstances make this appropriate.

Stage 1 timescale

The Academy will seek to respond as soon as reasonably practicable.

Where the matter has not been resolved within **5 working days**, or where the complainant remains dissatisfied, the parent may proceed to Stage 2.

The Academy may also move a matter directly to Stage 2 where the nature or seriousness of the complaint makes formal investigation appropriate.

7. Stage 2 – Formal Complaint

If a complaint cannot be resolved informally, the parent should submit the complaint in writing to the **School Principal**.

The written complaint should, wherever possible, include:

- the nature of the complaint;
- relevant dates;
- the names of people involved;
- any relevant supporting evidence;
- the outcome sought by the complainant; and
- details of any previous attempts to resolve the matter.

The Academy will acknowledge receipt of the formal complaint.

The School Principal will determine the appropriate person to investigate the complaint.

Where possible, the person investigating the complaint will have had no direct involvement in the matter complained about.



The School Principal may investigate the complaint personally or appoint an appropriate member of the Leadership Team or another suitably qualified person to investigate it.

The investigation may include:

- reviewing relevant documentation;
- considering Academy records;
- speaking to staff or other relevant persons;
- meeting with the complainant;
- speaking with students where appropriate and in accordance with safeguarding requirements; and
- considering any other evidence relevant to the complaint.

The person complained about will be given a fair opportunity to respond where appropriate.

Information relating to other students, families or staff will remain confidential and will not normally be disclosed where doing so would breach another person's privacy.

Stage 2 outcome

The investigation will determine whether the complaint is:

- **Upheld;**
- **Partially upheld;** or
- **Not upheld.**

The School Principal will provide the complainant with a written response explaining:

- the issues investigated;
- the evidence considered;
- the findings;
- the decision;
- the reasons for the decision;
- any action to be taken as a result; and
- the complainant's right to proceed to Stage 3 if they remain dissatisfied.

The Academy will normally aim to provide the Stage 2 response within **15 working days** of receiving the formal complaint.

Where a complaint is complex or requires additional investigation, the complainant will be informed of the reason for the delay and provided with a revised target date.

8. Stage 3 – Complaints Panel

If the complainant remains dissatisfied following Stage 2, they may request that the complaint proceeds to Stage 3.

The request should be made in writing to the **Head of Administration** within **10 working days** of receipt of the Stage 2 outcome.

The request should explain why the complainant remains dissatisfied and identify any aspects of the Stage 2 investigation or decision which they believe require further consideration.

The Head of Administration will acknowledge receipt and refer the matter to the Complaints Panel.

8.1 Composition of the Complaints Panel

The Complaints Panel will consist of at least **three people** appointed by or on behalf of the Academy Directors.

Panel members:

- must not have been directly involved in the matters detailed in the complaint;
- should not have previously investigated or determined the complaint;
- must be able to consider the complaint impartially; and
- must include at least **one person who is independent of the management and running of the Academy.**

Where the complaint concerns an Academy Director, the individual concerned will not participate in appointing or determining the panel.

9. Panel Hearing

The Head of Administration will arrange the panel hearing as soon as reasonably practicable and will normally seek to arrange it within **15 working days** of the Stage 3 request.

The complainant will receive reasonable notice of the hearing.

The complainant may attend the hearing and may be accompanied by **one other person**, such as a relative, friend, teacher or other appropriate person.

The Academy may also have appropriate representation at the hearing.

Legal representation will not normally be necessary or permitted unless the Academy determines that exceptional circumstances justify it.



The panel will determine its own procedure, having regard to the principles of fairness, proportionality and natural justice.

The panel may:

- ask questions of the complainant;
- ask questions of the Academy representative;
- consider written evidence;
- request additional information;
- speak to relevant witnesses where necessary; and
- adjourn the hearing where further investigation is required.

The panel will not normally reinvestigate every aspect of the original complaint where the existing investigation is considered adequate. Its purpose is to determine whether the complaint has been properly considered and to reach an impartial conclusion.

10. Panel Findings and Recommendations

Following consideration of the evidence, the panel will make findings and, where appropriate, recommendations.

The panel may:

- uphold the complaint;
- partially uphold the complaint;
- not uphold the complaint;
- recommend further investigation;
- recommend specific action by the Academy; or
- recommend improvements to Academy procedures or practice.

The panel will normally provide its findings and recommendations within **14 working days of the hearing**, or as soon as reasonably practicable thereafter where further investigation is required.

A written copy of the panel's findings and recommendations will be provided to:

- the complainant;
- the School Principal;
- the Academy Directors; and
- where relevant, the person complained about.

The panel's findings and recommendations will also be available for inspection on the Academy premises by the proprietor and School Principal, subject to appropriate confidentiality and data-protection requirements.

The Stage 3 decision is final within the Academy.

11. Complaints concerning the School Principal

Where a complaint concerns the **School Principal**, it should not be investigated or determined by the School Principal.

The complaint should be submitted to the **Head of Administration**, who will refer it to an appropriately independent person appointed by or on behalf of the Academy Directors.

The investigator will provide a written report and recommendation to the appropriate Academy authority.

If the complainant remains dissatisfied, the matter may proceed to Stage 3.

The School Principal will take no part in the investigation or determination of a complaint made against them.

12. Complaints concerning an Academy Director or Proprietor

Where a complaint concerns an **Academy Director, proprietor or person with ultimate responsibility for the Academy**, the individual concerned will take no part in the investigation, panel appointment or determination of the complaint.

The Academy will appoint an appropriately independent person or body to investigate the complaint.

Where a Stage 3 panel is required, all panel members must be independent of the specific matter and at least one panel member must be independent of the management and running of the Academy.

13. Safeguarding and Child Protection Complaints

Any complaint or concern involving the safety, welfare or protection of a child must be dealt with in accordance with the Academy's **Safeguarding and Child Protection Policy**.

A safeguarding concern must not be delayed by the ordinary complaints procedure.

Where a complaint raises a safeguarding concern:

- it will be referred immediately to the Designated Safeguarding Lead (DSL), where appropriate;
- relevant safeguarding procedures will be followed;
- the Academy will consider whether the matter should be referred to an external authority;
- confidentiality will be maintained as far as possible; and



- information will only be shared with those who need it for safeguarding or legal purposes.

Where a complaint concerns the DSL, the matter will be referred to the School Principal or other appropriate senior person in accordance with the Academy's safeguarding procedures.

14. EYFS Complaints

Complaints relating to the provision of the Early Years Foundation Stage will be taken seriously and dealt with promptly.

The Academy will investigate such complaints in accordance with this policy, the Academy's Early Years procedures, applicable EYFS requirements and the laws and regulations of Kuwait.

Where applicable, the Academy will seek to complete the investigation and provide a substantive response within **28 days**.

Where this is not reasonably practicable, the complainant will be informed of the reason for the delay and given a revised timescale.

15. Anonymous Complaints

Anonymous complaints will be considered at the discretion of the School Principal or appropriate senior leader. The Academy may investigate an anonymous complaint where the information provided raises concerns relating to:

- safeguarding;
- serious misconduct;
- student welfare;
- health and safety; or
- other matters which may present a significant risk to students or staff.

The Academy may be unable to provide a response to an anonymous complainant where there is no means of contacting them.

16. Unreasonable, Persistent or Vexatious Complaints

The Academy recognises that, on rare occasions, a complainant may pursue a complaint in an unreasonable, persistent or vexatious manner.

The Academy will always presume that a complaint has been made in good faith unless there is clear evidence to the contrary.

Where a complainant:

- repeatedly raises the same issue after it has been fully investigated;
- refuses to accept the outcome of the complaints procedure;
- makes excessive or unreasonable demands on staff time;
- communicates in an abusive, threatening or inappropriate manner; or
- seeks to reopen a matter without providing significant new information,

the Academy may take reasonable steps to manage further communication.

This will not prevent the Academy from considering a genuinely new or significant concern.

17. Accessibility and Reasonable Adjustments

The Academy will make reasonable adjustments to the complaints procedure where necessary to enable parents to raise and pursue complaints.

This may include reasonable adjustments relating to:

- disability;
- communication difficulties;
- language;
- access to meetings; or
- other relevant circumstances.

Parents who require reasonable adjustments should inform the Academy when raising their complaint.

18. Confidentiality

All complaints will be handled confidentially and sensitively.

Correspondence, statements, investigation notes and other records relating to individual complaints will be kept confidential except where:

- disclosure is required by law;
- disclosure is required by a relevant regulatory authority;
- disclosure is necessary for safeguarding purposes;
- disclosure is necessary for an inspection;
- disclosure is necessary to obtain appropriate professional advice; or
- disclosure is otherwise permitted by applicable Kuwait law.



19. Record Keeping

The Academy will maintain a confidential **Complaints Register**.

For every formal Stage 2 complaint, the Academy will record:

- date received;
- name of complainant;
- student concerned;
- nature of the complaint;
- person responsible for investigation;
- stage reached;
- investigation undertaken;
- outcome;
- whether the complaint was upheld, partially upheld or not upheld;
- action taken;
- date the complaint was closed; and
- whether the matter proceeded to Stage 3.

The Academy will maintain appropriate records of Stage 1 concerns where these are significant, recurring or have resulted in action by the Academy.

20. External Regulatory Complaints

The Academy is committed to resolving complaints through its own complaints procedure wherever possible.

Parents may also raise matters with the relevant **Kuwait regulatory authority** where they consider this appropriate, subject to the authority's own procedures and jurisdiction.

The Academy will cooperate appropriately with any legitimate request for information from a competent regulatory or governmental authority.

21. Complaints Procedure – Summary

Stage 1 – Informal

Parent → Class Teacher/Form Tutor → Head of Year/Head of Department/Senior Leader

Aim: resolve the concern promptly.

Target: normally within 5 working days.

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Stage 2 – Formal

Parent → School Principal

Written complaint.

Independent/suitably appropriate investigation.

Written outcome:

Upheld / Partially Upheld / Not Upheld

Target: normally within 15 working days.

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Stage 3 – Panel

Parent → Head of Administration

Complaints Panel of at least **3 people**, none directly involved in the complaint, including at least **1 independent member**.

Parent may attend and be accompanied.

Target: normally hearing within 15 working days.

Panel produces findings and recommendations.

Target: normally within 14 working days of hearing.

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Final Academy Decision

Panel decision is final within the Academy.

24. Annual Complaints Record

The Academy will publish/retain the following information for each completed academic year:

Number of Stage 2 formal complaints during the previous academic year:

Number of Stage 3 complaints/panel hearings during the previous academic year:

Number of complaints upheld:

Number of complaints partially upheld:

Number of complaints not upheld:

Key themes identified:

Actions/improvements arising from complaints:



TEA Vision

The vision of The English Academy is to be considered an outstanding school. This will be gauged through both the BSO accreditation standards and other generally accepted international education benchmarks.

TEA Mission Statement

The mission of The English Academy is to provide a learning experience that will encourage students to be successful learners, confident individuals and responsible citizens with a global perspective