

# Complaints Policy 2020



## Contents

|                             |   |
|-----------------------------|---|
| Introduction:.....          | 3 |
| Stages of the policy: ..... | 4 |

## Introduction:

The policy is for the benefit of pupils and parents/carers of pupils at the School. The policy will be relied upon in respect of **all concerns or complaints** by parents/carers and pupils made against the School except in respect of;

- a) Child protection allegations, where a separate policy and procedure applies;
- b) Exclusions, where a separate policy and procedure applies;
- c) Appeals relating to internal assessment decisions for external qualifications, where a separate appeals procedure applies.

The School expects that most concerns can be resolved informally and recognises that the majority of issues raised by parents/carers or pupils are concerns rather than complaints. The School will use its best endeavours to resolve any concerns that are made on this basis. The School is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without the need for formal procedures. The School recognises however that, depending on the circumstances and the nature of the complaint, parents/carers or pupils may, in appropriate circumstances, wish to or may be asked to follow the formal stages of this policy from the outset.

If the informal procedures fail to resolve the issue, a formal complaint about any matter (not involving child protection allegations, internal assessment decisions or a decision to exclude a student), must be given verbally or in writing to the Head of Centre in the first instance.

Every complaint shall receive fair and proper consideration and a timely response but in order for the School to investigate a complaint, it needs to be made within 1 year of the incident occurring. If a complaint is older than 1 year it will not be investigated.

The School will do all it can to resolve concerns or complaints and to ensure parents/carers are happy with the education their child receives at the School.

Parents/carers and pupils can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and will be dealt with in a sensitive, impartial and confidential manner. It should also be noted however that malicious complaints may incur appropriate action by the School.

The School will keep confidential records of complaints, detailing the actions the school has taken, inclusive of whether they were upheld or not, on site for inspection by the Proprietor, Head Teacher and Executive Head

Correspondence, statements and records will remain confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## The School's Policy 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 within 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 to the School's senior management team so that services can be improved.

## Stages of the policy:

The policy has four main stages:

- **Stage One** - Concern is raised informally with a member of staff
- **Stage Two** - Formal complaint - investigated by Head of School
- **Stage Three** - Formal complaint - investigated by Executive Headteacher
- **Stage Four** - Formal complaint - heard by a panel chaired by the Proprietor

### Discussion with a member of staff (Annex A)

- It is hoped that most concerns or complaints will be resolved quickly and informally.
- If parents/carers have a concern or complaint they should normally contact their child's class teacher. In many cases the matter will be resolved immediately by this means to the parents'/carers' satisfaction. In some circumstances however, the matter will require investigation or discussion with others and so it may take longer to respond to the parents/carers.
- The School will use its reasonable endeavours to resolve any informal concerns or complaints within 10 working days of them being raised, except where they are raised during School holidays or within 2 working days of their commencement. In these cases, the School will use its reasonable endeavours to resolve the concern or complaint as soon as possible after the commencement of the new term (usually within 10 working days).
- If it is not possible to resolve the matter informally or parents/carers are not satisfied with the result at this stage, then parents/carers will be advised to proceed with their concern or complaint in accordance with Stage Two of this procedure.

### Complaint Investigated by the Headteacher (Annex B)

- If the matter cannot be resolved on an informal basis then parents/carers should put their complaint in writing to the Head of School. Parents/carers should identify how they wish their complaint to be resolved.
- The Head of School may delegate responsibility for undertaking the investigation of the complaint to another member of staff in appropriate circumstances unless the Head of School deems it appropriate for him/her to deal with the matter personally.
- The Head of School will decide, after considering the complaint, the appropriate course of action but will endeavour to resolve the matter as speedily as possible.
- In most cases, the Head of School will meet or speak with the parents/carers concerned to discuss the matter. The Head of School will use reasonable endeavours to speak to or meet parents/carers within

10 working days of the formal complaint being received. In cases where the complaint is received during School holidays or within 2 working days of their commencement, the Head of School will use his/her reasonable endeavours to speak or meet with parents/carers as soon as possible after the commencement of the new term (usually within 10 working days). It may be necessary for the Head of School to carry out further investigations.

- The Head of School will keep a written record of all meetings and interviews held.
- Once the Head of School is satisfied that, so far as is reasonably practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision in writing, giving reasons for the decision including the steps/action the School has taken to resolve the issue. The written decision should normally be provided no later than 10 working days after the Head of School has met with parents/carers to discuss the matter. The Head of School may also arrange a further meeting with the parents/carers to explain his/her decision.
- The School will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the School's decision, which will be recorded and will be kept for 1 year after the pupil leaves the School. This record will state if complaints were resolved at this stage of the policy or whether the matter was taken further.
- Where parents/carers are dissatisfied with the result at Stage Two they should notify the Executive Headteacher as appropriate in writing within 10 working days of receiving the School's written response under Stage Two. The matter will then be dealt with under Stage Three of the procedure.

### **Complaint investigated by the Executive Head (Annex C)**

- If it has not been possible to resolve the matter at Stage Two of this policy, upon receipt of the parents'/carers' written notification that they wish to pursue the matter to Stage Three of the policy, the Executive Headteacher will arrange for a further investigation to be carried out.
- In most cases, the Executive Headteacher will meet or speak with the parents/carers concerned to discuss the matter. The Executive Headteacher will endeavour to speak to or meet parents/carers within 10 working days of the Stage Three complaint being received. In cases where the complaint is received during School holidays or within 2 working days of their commencement, the Executive Headteacher will use his/her reasonable endeavours to speak or meet with parents/carers as soon as possible after the commencement of the new term (usually within 10 working days). It may be necessary for the Executive Headteacher to carry out further investigations.
- The Executive Headteacher will keep a written record of all meetings and interviews held in relation to the Stage Three complaint.
- Once the Executive Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of the decision in writing, giving reasons for the decision including the steps/action the School has taken to resolve the issue. The written decision should normally be provided no later than 10 working days after the Executive Headteacher has met with parents/carers to discuss the matter. The Executive Headteacher may also arrange a further meeting with the parents/carers to explain his/her decision.
- A written record of any meetings and interviews held in relation to this stage of the policy will be kept for 1 year after the pupil leaves the School. The record will state if complaints were resolved at this stage of the policy or whether the matter was taken further.
- Where parents/carers are dissatisfied with the result at Stage Three of the policy they should notify the Proprietor in writing within 10 working days of receiving the decision under Stage Three. The matter will then be dealt with under Stage Four of the policy.

### **Complaint heard by Complaints Panel (Annex D)**

- If it has not been possible to resolve the matter at Stage Three of this policy, within 5 working days of receiving a written request from the parents/carers that they wish to pursue the matter to Stage Four, the Proprietor will write to the parents/carers to acknowledge their written request in writing and inform the parents/carers of the steps involved at Stage Four.
- Where the written request is received by the Proprietor during School holidays or within 2 working days of their commencement, the Proprietor has 5 working days from the commencement of the following School term to acknowledge the parent's/carer's written request.
- The written request for further consideration of the complaint at Stage Four of the policy will, for the purposes of this policy, be known as an 'appeal'. Parents/carers should provide full detail of their appeal and the reasons why they believe their complaint(s) have not been resolved satisfactorily under the previous three stages of the policy. Parents/carers should also state the remedy they are seeking.
- The Proprietor will endeavour to convene a Complaints Panel hearing as soon as possible to consider the matter, normally no later than 20 working days after his/her receipt of the appeal, dependent upon the availability of Complaints Panel members. Where it is not reasonably practicable for the hearing to be convened within 20 working days after receipt of the appeal, the parents/carers must be notified of the likely timescale for the hearing to take place which must be reasonable in all the circumstances.
- The Complaints Panel will consist of the Proprietor and at least three other people who have not previously been involved in the complaint.
- The Complaints Panel will also consist of one panel member who is independent of the management and running of the school
- The following are entitled to attend The Complaints Panel hearing, submit written representations and address the Complaints Panel:
  - The parent/s/carers and/or one representative;
  - The Executive Headteacher and/or one representative;
  - Any other person whom the Complaints Panel considers their contribution would assist the Complaints Panel in their decision-making.
- Legal representation will not normally be appropriate
- Where the Complaints Panel deems it necessary, it may require that further particulars of the appeal or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Complaints Panel in support of their position, including:
  - Documents in support of complaint(s),
  - Chronology and key dates relating to complaint(s), and
  - Written submission setting out the complaint(s) in more detail.
- All evidence will be considered by the Complaints Panel, along with the appeal lodged.
- Evidence will be initially sent to the Proprietor, who will then circulate the documentation to all parties, including the Complaints Panel members, along with an order of proceedings. All written evidence must be received by the Proprietor no later than 10 working days in advance of the hearing.

The Proprietor will distribute the written evidence to the relevant parties no later than 5 working days in advance of the hearing.

- It is for the Complaints Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Complaints Panel will resolve the parents'/carers' appeal immediately without the need for further investigation. Where further investigation is required, the Complaints Panel will decide how it should be carried out.
- After due consideration of all the facts and evidence they consider relevant, the Complaints Panel will reach a decision, and may make recommendations which it shall endeavour to implement within 10 working days of the hearing.
- The Complaints Panel's findings will be sent by the Proprietor in writing to the parents/carers, the Executive Headteacher and, where relevant, the person complained of within 10 working days of the hearing. The letter will state the reasons for the decision reached and any recommendations made by the Complaints Panel. The decision reached by the Complaints Panel is the final School based stage of the complaints process.
- The School will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for 1 year after the pupil leaves the School.

In cases where the complaint concerns the conduct of the Head of School, the Executive Headteacher and/or the Proprietor will be informed of the complaint and the Proprietor will arrange for the matter to be investigated as s/he considers appropriate in all the circumstances. The parents/carers will be notified of the Proprietor's decision in this regard.