



Complaints Policy

This policy was agreed on: September 2023
This policy will be reviewed on: September 2024

<p>Stage 1- Informal Discussion</p> <p>Address with Teaching Staff/Admin Staff</p>
<p>Stage 2- Formal Written Complaint</p> <p>Address with Principal</p> <p>Acknowledge- 5 working Days</p> <p>Respond- 15 working Days</p>
<p>Stage 3- Formal Written Complaint</p> <p>Address with the Chair of Trustees</p> <p>Acknowledge- 5 working Days</p> <p>Respond- 15 working Days</p>
<p>Stage 4- Formal Written Complaint</p> <p>Clerk of Trustees receives request to escalate to Complaints Appeal Panel</p> <p>Acknowledge- 5 working Days</p> <p>Meeting arranged- 20 working Days from Receipt of request</p> <p>Committee findings- within 5 days of Panel Meeting</p>
<p>Stage 5- Formal Written Complaint</p> <p>Secretary of State</p>

This Policy is intended to provide complainants with an accessible and easily understood procedure for how this setting will deal with any form of complaint.

The open climate of the setting: the setting encourages parents, along with children and staff, to voice their concerns. Usually the discussion of the matter will allay or remove the worry without the need for formal procedures.

All complaints will be formally considered. It is sometimes difficult to tell at the outset the seriousness of a complaint. Potentially serious issues may be raised in an informal and friendly way and apparently trivial issues in an adversarial manner.

Sometimes a complaint will generate a counter-complaint. It is usually helpful for there to be a discussion at an early stage about the issue, the procedures and the possible outcomes.

A clear published procedure is desirable in order to facilitate openness and to reduce the anxieties of both complainants and those complained against. It is important that the parties involved make their concerns known in a temperate fashion, by using proper channels and avoiding exaggeration and gossip.

If parents do have a complaint, they can expect it to be treated by the setting in accordance with this procedure. The setting will make the complaints procedure available to all parents of pupils and of prospective pupils in the office during the day, and the setting will ensure that the parents of children and of prospective children who request it are made aware that this document is published and/or available and the form in which it is published and/or available.

We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to “work days” we mean Monday to Friday when the office is open during term time.

You can be assured that your child will not be penalised for a complaint that you (or your child) raises in good faith. Complainants should feel able to express their views knowing that they will be dealt with fairly and that making a complaint would not adversely affect their child.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. It is school policy to let staff know about complaints that are made about them (without always disclosing the identity of the complainant) and to encourage them to respond to this knowledge in as constructive a way as possible.

The setting is not required to divulge to parents any confidential information or the identities of children or others who have given information which has been investigated and/or which has led to disciplinary action including the required removal of a child.

Any anonymous complaints will be recorded and it will be at the Principals discretion as to what action is taken, if any. It is obviously not possible to provide a response to an anonymous complaint.

We would encourage complainants to express any concerns at the earliest opportunity and through the appropriate channels listed in this procedure.

All formal complaints will be made in writing.

Stage 1 (Informal): Complaint heard by Staff Member

There are many occasions where complaints are resolved straight through the Admin staff and/or the Teaching Staff.

If the person first contacted cannot deal with the matter immediately, the details of the complaint will be recorded (including the date, name, contact address or telephone number and the nature of the complaint) until it is possible to do so.

On certain issues, the Principal may decide to deal with the concerns directly at this stage.

If the complaint relates to the Principal, the complainant will be advised to contact the Chair of Trustees directly.

Complaints made informally to the Chair of Trustees will be referred to the Principal with the exception of when the complaint relates to the Principal.

The person dealing with the complaint must make clear to the complainant what action will take place and who will be their point of contact.

If the complainant was dissatisfied with the way the complaint was handled at Stage 1, as well as pursuing their initial complaint, a formal complaint should be made to the Principal.

Stage 2 (Formal Written): Complaint to the Principal

The Principal (or designated Senior Staff Member) will acknowledge the complaint in writing within 5 working days of receiving the complaint. The acknowledgement will reference the Complaint Procedure and confirm a date when a formal written response will be completed. This should normally be within 15 working days, but if this is not achievable an explanation of the extended date will be provided.

The Principal (or designated Senior Staff Member) will provide an opportunity for the complainant to meet with them to discuss the complaint in detail. The complainant may be accompanied to any meeting by a friend/relative or any representative who they may wish to speak on their behalf, and asked if they have any special requirements the setting needs to be aware of e.g. wheelchair access, signing etc.

The Principal (or designated Senior Staff Member) must keep written records of any meetings or telephone conversations held and any other relevant documentation in relation to the complaint.

Once all relevant facts have been established, The Principal (or designated Senior Staff Member) should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.

A written response will include a full explanation of the decisions made and the reasons for those decisions. Where appropriate, this includes what action the setting will take to resolve the complaint. The complainant is advised that should they wish to take the complaint further, they should notify the Chair of Trustees within 2 weeks of receiving the outcome letter.

If the complaint is against the Principal, or if the Principal has been very closely involved at Stage 1, then the Chair of Trustees should consider carrying out all the Stage 2 procedures.

Stage 3 (Formal Written): Complaint to the Chair of Trustees

If the complainant is not satisfied with the response of the Principal or the complaint is about the Principal, the complainant should write to the Chair of Trustees to request that their complaint is considered further.

The Chair of Trustees will acknowledge the complaint in writing within 5 working days of receiving the complaint. The acknowledgement will reference the Setting's Complaints Procedure and confirm a date when a formal written response will be completed. This should normally be within 15 working days, but if this is not achievable an explanation of the extended date will be provided.

The Chair of Trustees will provide an opportunity for the complainant to meet with them to discuss the complaint in detail. The complainant may be accompanied to any meeting by a friend/relative or any representative who they may wish to speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.

The Chair of Trustees must keep written records of meetings or telephone conversations held and any other relevant documentation.

Once all relevant facts have been established ⁽⁴⁾ Chair of Trustees should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.

A written response will include a full explanation of the decisions made and the reasons for those decisions. Where appropriate, this includes what action the setting will take to resolve the complaint. The complainant is advised that should they wish to take the complaint further, they should write to the Clerk to the Board of Trustees giving details of the complaint and asking that it is put before the Complaints Appeal Panel.

Stage 4 (Formal Written): Complaints to the Board of Trustees Complaints Appeal Panel

The Clerk to the Board of Trustees should write to the complainant to acknowledge receipt of the written request within 5 working days. The acknowledgement should inform the complainant that the complaint is to be heard by the Panel which will consist of 3 persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the setting. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be reviewed by all the members of the Complaints Appeal Panel.

The Clerk to the Board of Trustees will ensure that the Panel hears the complaint within 20 working days of receiving the written complaint. All relevant correspondence regarding the complaint will be given to the members of the Complaints Appeal Panel. If the Correspondence is extensive, the Chair of the Panel may prepare a thorough summary, to send to the Panel members.

The Clerk to the Board of Trustees will write and inform the complainant, Principal, any relevant witnesses, and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a person of their choice. This letter will also explain how the meeting will be conducted and the complainants right to submit further written evidence to the Panel.

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

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The meeting will allow for:

- 1) The complainant to explain their complaint and the Principal to explain the setting's response.

- 2) The Principal to question the complainant about the complaint and the complainant to question the Principal and/or other members of staff about the setting's response.
- 3) Panel members have the opportunity to question both the complainant and the Principal.
- 4) Any party to have the right to call witnesses (subject to the approval of the Chair of the Complaints Appeal Panel) and all parties having the right to question all witnesses.
- 5) Final statements by both the complainants and the Principal.

The Chair of the Trustees Complaints Appeal Panel will explain to the complainant and the Principal that the Panel will now consider the complaint and all the evidence presented to reach its decision, and a written response/decision (including reasons for those decisions) will be sent to both parties within 5 working days.

The Complainant, Principal, and other members of staff and witnesses will then leave.

The remit of the Complaints Appeal Panel

The Complaints Appeal Panel can:

- 1) Dismiss the complaint in whole or in part;
- 2) Uphold the complaint in whole or in part;
- 3) Decide on the appropriate action to be taken to resolve the complaint;
- 4) Recommend changes to the schools systems or procedures to ensure that problems of a similar nature do not recur.

A copy of the findings and recommendations is provided to the complainant and where relevant, the person complained about.

The decisions, findings and any recommendations will also be available for inspection on the school premises by the Proprietor/Principal/Chair of Trustees.

Stage 5 (Formal): Written Complaint to the Secretary of State

The final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to The School Complaints Unit (SCU) at:

Department for Education

2nd Floor, Piccadilly Gate

Manchester

M1 2WD

What will the Department of Education do?

If the complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

If legislative or policy breaches are found, SCU will report them to the school and the complainant, and where necessary, require remedial action to be taken.

Record Keeping

Following resolution of a complaint, the setting will keep a record of all complaints and whether they were resolved following a formal procedure or preceded to a Panel hearing and the action taken by the setting as a result of the complaint regardless of whether they were upheld and whether the complainant was satisfied with the response. At the settings discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of child
- Description of the issue
- Records of all investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

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

Complaints regarding the Welfare of Pupil ⁽⁷⁾

Students and parents can contact Ofsted and the Local Authority designated Officer regarding any complaint concerning a child's welfare. A written record is kept of serious complaints

and their outcome, for regular review by the Principal or a senior member of staff. Complaints will be resolved either to the parents' satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of the child, without unreasonable delay. The complaints procedure includes details of how parents may appeal against a decision made by the setting about their complaint. children will not be penalised for them or their parents making a complaint in good faith.

(This policy will be reviewed annually).

Signed:

Date: