

# Complaints Policy



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## 1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

## 3. Definitions and scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”

- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## 4. Stages of complaint (not complaints against the head of school or governors)

### 4.1 Purpose

This policy is intended to set out how Releasing Potential deals with its complaints about administration or education. All members of the Releasing Potential community should feel able to express their views in the full knowledge that they are dealt with fairly.

We welcome suggestions for improving our work. All concerns or complaints are important to us and are investigated with due urgency and thoroughness. Our primary concern is the education and welfare of the young person.

Whenever a complaint is upheld, every effort is made to rectify the issue and if necessary action is taken to try to prevent a recurrence of the problem. Releasing Potential does not investigate anonymous complaints or allegations.

### 4.2 Aims

- To provide an accessible and easily understood procedure for complaints
- To encourage parents and social workers from the placing authority and members of the Releasing Potential community to express their views at the earliest opportunity, through the appropriate channels
- To increase mutual understanding between all parties

- To create an ethos where all are committed to working together for the benefit of each young person.

### **4.3 Confidentiality**

Whether a complaint is made informally or formally all parties involved should ensure that every effort is made to respect confidentiality and ensure that all documentation remains confidential to those parties directly involved in the complaint being investigated. Parents/Support Workers/Carers/Social Workers should be assured that making a complaint does not adversely affect the young person.

### **4.4 How we manage our Concerns and Complaints**

#### **Stage 1 – Informal complaint**

Most concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through direct contact with the tutor. We aim to resolve any informal complaint within one working day. If the person first contacted cannot deal with the matter immediately they refer to the person with responsibility for the issue raised. This person will continue to follow the issue through until it has been fully addressed and the matter is resolved either at a face-to-face meeting or by telephone.

On certain issues the tutor may decide to deal with the concerns directly at this stage. If the concern relates to the tutor, the complainant is advised to contact the HR Officer.

Where no satisfactory solution has been found, complainants are asked whether they wish their concern to be considered further. If so, they are given clear information about how to make a formal complaint as outlined in the procedure.

A written record is made by the person dealing with the informal complaint and kept in a file in the office. A copy may be kept in the file of young person if relevant.

#### **Stage 2 Appeal to the CEO**

The complainant makes a written appeal to the CEO detailing the original complaint and reasons why they remain unsatisfied after HRO's investigation. The CEO writes to the complainant to acknowledge receipt within 5 working days.

The CEO investigates the complaint by speaking with relevant parties and reviewing documents. The CEO will confer with two or more other Trustees if necessary and will make a decision.

The CEO will write to the complainant to advise them of the outcome and any actions arising. In the case of a complaint against the HRO or CEO, the final recourse will be to the Chair of Trustees.

A record will be kept of all complaints.

Regardless of whether the complaint is upheld or not, a review of working practices will be held to determine what action needs to be taken to reduce the risk of this happening in future.

### **Stage 3 Appeal to Independent Arbiter**

- The complainant makes a written appeal via the Chair of Trustees to the Independent Complaints Arbiter, detailing the original complaint and reasons why they remain unsatisfied after the CEO's investigation. The Chair of Trustees writes to the complainant to acknowledge receipt within 10 working days.
- The Chair of Trustees contacts the Chair of the Independent Arbiter<sup>3</sup> who will then contact the parents and formally invite them to attend the Panel meeting.
- The Arbiter investigates the complaint by speaking with relevant parties and reviewing documents and will make a decision.
- The Arbiter will write to the complainant to advise them of the outcome and any actions arising. This letter will also advise that there is no further recourse to appeal the decision of the Independent Panel.
- **The complainant has the right to be accompanied by a friend or family member at all meetings arising from their complaint.**
- **Confidential records of all complaints, their investigations and outcomes will be kept at Releasing Potential Head Office, 7 Kingscroft Court, Ridgway, Havant, PO9 1LS.**
- **Records of the complaint will be made available to the complainer and the person or persons that the complaint is made about.**

## **5. Complaints against the CEO, Head Teacher, a Governor or the Governing Board, Trustee or Trustee Board**

### **5.1 Stage 1: informal**

Complaints made against the Head Teacher / CEO or any member of the governing board should be directed to the appointed external arbiter to the trustee board in the first instance.

If the complaint is about the headteacher or 1 member of the governing board (including the chair or vice-chair), a suitably skilled and impartial trustee will carry out the steps at stage 1 (set out in section 6 above).

### **5.2 Stage 2: formal**

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

## **6. Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

## **7. Persistent complaints**

### **7.1 Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

## 7.2 Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

## 7.3 Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

## 7.4 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

## 7.5 Complaint campaigns



Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **8. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

## **9. Learning lessons**

The Board of trustees will review any underlying issues raised by complaints with the Senior Leadership Team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## **10. Monitoring arrangements**

The Board of Trustees will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Board of Trustees will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Head of School.

This policy will be reviewed by the People and Behaviour sub-committee of the Board of Trustees at least once every 2 to 3 years].

## 11. Appendix and Links with other policies

### Appendix A Staff Allegation Investigation Template

<b>Investigator</b>	
<b>Terms of reference</b>	
<b>Provisional time-frame</b>	
<b>Policies and procedures to review and follow</b>	
<b>Issues that need to be explored/clarified</b>	
<b>Sources of evidence to be collected</b>	
<b>Persons to be interviewed</b> (including planned order of interviews)	
<b>Investigation meetings further arrangements</b> (When/where/notes to be taken by)	
<b>Persons to supply own statement</b>	
<b>Investigation meetings to be completed by</b>	
<b>Collection of evidence to have been completed by</b>	
<b>Further considerations</b>	

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**Policies dealing with other forms of complaints include:**

[Staff Capability, Discipline and Grievance Procedure - School.docx](#)

[Child Protection Policy 2024.25.docx](#)

[Safeguarding Policy 2024.25.docx](#)

[Behaviour Management Policy.docx](#)

[Data Protection Policy.docx](#)