

Complaints

Education Service Policy & Procedure



Author	Headteacher
Date	October 2020
Person Responsible	Headteacher
Approval/Review Body	Executive
Frequency of Review	12 months - Policies will be reviewed more frequently if legal changes or good practice require

Purpose

At Esland School we value and promote honest and open communication between staff, young people and parents. The creation and maintenance of this open style of communication and 'listening' to our stakeholders is one of the chief means by which we seek to influence our young people and lies at the heart of our commitment to help and support young people through the use of appropriate intervention strategies.

One aspect of crucial importance in this lies in our complaints procedure and ensuring this is easy to follow by all and enables key stakeholders to make representations and formal complaints which can then be fully dealt with. We have a duty to empower young people wherever possible and maintain a positive caring environment in which they feel safe and free from any form of oppression. We also have a statutory duty to make clear our procedures for dealing with complaints under The Education (Independent School Standards) (England) Regulations 2014 Part 7. This policy is aimed at meeting all the requirements of Part 7. Additionally, the policy seeks to ensure that all elements are fully implemented, monitored and enables both young people and parents to raise any concerns with us. A young person's guide to the complaints procedures is also available on request.

Scope

This policy assumes that it is a parent making a complaint on behalf of their young person. However, the policy is also directly open to young people themselves or a legitimate third party, such as a carer. Should the third party's complaint fall outside education's remit, they will be referred to Esland's complaints procedure, a copy of which is available on request.

Procedure

Informal resolution

In most circumstances, any concerns or worries that a parent or young person or

Complaints

Education Service Policy & Procedure



other interested party has about school can be discussed with their mentor or relevant member of school staff. It is hoped that most issues can be readily resolved in this way.

There may be times when a parent or young person is unsure about approaching a teacher and should feel free to discuss the issue with any other member of staff in whom they trust who will guide them as to an appropriate course of action.

Informal Resolution

The parent and young person are also free to seek advice from their social worker. This is known as an '*informal resolution*' and should be the first method adopted in the case of a complaint.

Stage 1 – Informal Complaint

However, there may be occasions when a parent, carer or the young person are not happy with the way his/her concerns were dealt with, or the matter is of a nature that requires more in-depth scrutiny or formal action. In these instances, the following procedures must be followed.

- a) A full written record of the representation or complaint at stage 1 will always be kept and made available to authorised people (such as inspectors).

It will be the aim to resolve all issues at stage 1 within **14 working days**.

If a delay is anticipated because of holidays or absences, then a revised timescale will be agreed with the complainant.

If the complainant is dissatisfied with the outcome of their complaint at Stage 1, they are entitled to take their concerns to Stage 2, which is the **formal stage**.

Stage 2 – Formal complaint

If a solution or agreement cannot be reached by talking things through, there is the option of making a '*formal complaint*'.

At stage 2, the Director of Education will arrange to conduct a formal investigation into the concerns raised. This may be undertaken by the Director of Education or by another member of the senior leadership team.

If preferred, the young person, parent or carer can make a complaint in writing and send it to Esland Head Office.

Complaints

Education Service Policy & Procedure



The Director of Education or other senior leader will speak to the complainant as soon as possible and within a maximum of **5 working days** of receipt of the formal complaint.

The Director of Education or senior leader will record the complaint and ensure that all elements are fully captured in consultation with the complainant.

They will also ensure the complainant is given support through the complaints procedures.

Within **7 working days** of initial contact, the Director of Education and/or senior leader will provide clear feedback to the complainant on their findings and how any identified issues will be resolved. A full record of the investigation at Stage 2 will be maintained.

If the complainant is dissatisfied with the outcome of the investigation and response at Stage 2, they are entitled to take the matter to Stage 3 of the complaints process, which is a hearing before a panel appointed by the Chair of the School Governors.

It includes at least three people who were not directly involved in the matters detailed in the complaint. One panel member will also be fully independent of the management of the school or the running of the school.

Stage 3

If the complainant wishes to pursue their complaint to Stage 3, the Chair Governor from Esland will contact the complainant to advise them of the process **within 24 hours**. The senior leader will arrange for the complaint to be examined in depth by a group of at least three people who were not involved in the details of the complaint. At least one of these will be an independent representative.

This hearing will be arranged for a mutually convenient date within **10 working days**. Every assistance will be provided to the complainant to enable them to present their case including the provision of advocacy and support.

The complainant will be invited to discuss the complaint with the panel and may also be accompanied by an independent person of their choice.

The panel, having heard all the representations and considered all the reports, will then provide feedback on their findings and any actions or recommendations arising within **7 working days**.

Complaints

Education Service Policy & Procedure



All matters associated with Stage 3 will be fully recorded in writing and sent to the complainant and be available on the school premises for inspection by the Chair Governor and Headteacher.

All complaints are recorded on ClearCare by the school and stipulate whether they are resolved following a formal procedure or panel hearing, and the action taken by the school as a result of the complaint.

All records, correspondence and statements relating to individual complaints are kept confidential with the exception of where the Secretary of State or a Body conducting an inspection under Section 109 of the 2008 Act require access to them.

Final outcome

Following feedback, a written response will be provided to the complainant including the findings and any proposed actions or recommendations.

This is the final stage of the complaints process.

Recording & confidentiality

The written records of all representations at stage 1 and formal complaints at Stages 2 and 3 will be kept confidentially on record and made available for inspection purposes.

References

The Education (Independent School Standards) (England) Regulations 2014

Complaint templates are available:

- a) Complaint Acknowledgement Letter Template
- b) Complaints Process (in line with this policy)
- c) Complaint Cover Sheet
- d) Complaints Outcome letter
- e) Complaint Satisfaction Letter
- f) Complaint Satisfaction Survey
- g) Complaint Satisfaction Survey (Child)
- h) Final Response Decision Letter
- i) Complaint Log Template

Complaints

Education Service Policy & Procedure



IMPORTANT NOTE:

Should a complaint be received at the end of a term period then the complaint will be acknowledged with confirmation of the timeline which may differ to the policy