

Introduction:

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Hopewell 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 needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure.

Hopewell School's policy aims to provide the framework within which to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

The aim of this Complaints Policy and Procedure is to ensure that parents/ carers, pupils, neighbours, members of the community, professionals external to the organisation and essentially all stakeholders involved in the School or in and around the school have access to an **informal** and **formal** process in which to complain about any aspect of the school.

Staff: responding to Concerns and/or Complaints in an informal manner

When a concern or complaint is first raised all staff should strive to find ways in which it could be resolved. It might be sufficient to acknowledge that the concern or complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

All concerns or complaints must be written up and reported to the Head Teacher with a clear explanation of what the concern or complaint was, what was done about it and whether the complainant was satisfied with the response.

If the concern or complaint cannot be resolved or the complainant is not satisfied the matter should be referred to the Head Teacher for investigation and the complainant informed that this action has been taken.

The Head Teacher must ensure that he/she:

- establishes **what** has happened so far, and **who** has been involved;
- clarifies the nature of the complaint and what remains unresolved;
- meets with the complainant or contacts him/her (if unsure or further information is necessary)

- clarifies what the complainant feels would put things right
- interviews those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conducts the interview with an open mind and be prepared to persist in the questioning
- Keeps notes of the interview.

Summary of Stages in Complaints Procedure

Stage 1

Concerns discussed informally with any member of staff in the school and referred to the Complaints Coordinator (in the context of this policy this will be the Head Teacher or equivalent)

Stage 2

The Head Teacher is informed about formal concerns

Stage 3

An appeal is lodged or a complaint is made against the Head Teacher to Holibrook House Ltd (Head Office) 12 Belmont Hill, Lewisham, London, SE13 5BD.

We expect that most concerns and complaints will be dealt with in the manner set out above.

- In most cases any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally (stage 1) before being submitted at any of the following consecutive formal stages. However, occasionally there will be circumstances under which it is unsuitable for complaints to be dealt with in this way.
- In all cases where the complaint concerns the school's Head Teacher directly, the complaint will go to (stage 3) of the complaints procedure.
- In some cases, it may be deemed inappropriate for individuals to discuss their concerns informally.
- In such cases, complainants must be directed to the Head Teacher directly. Complainants may choose to contact the Head Teacher directly of their own accord. (Stage 2)
- In these cases it will be at the discretion of the Head Teacher as to whether or not it is appropriate for the complainant to discuss the matter informally (return to stage 1).

Who is allowed to complain?

This policy may be used by anyone who has a concern or complaint about any aspect of the school. Complainants could be parents and carers of the school's pupils, neighbours of the school, or any other member of the local community.

Monitoring complaints

At all formal stages of the complaints procedure, the following information will be recorded:

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

The Head Teacher will act as the 'complaints co-ordinator', and will have the responsibility for the operation and management of the school complaints policy and will be responsible for monitoring complaints. Records will be retained for the periods specified in the procedure guidance.

Upholding or not upholding complaints

At each stage of the complaints procedure, the conclusion will be either:

- That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.

Or

- That the complaint is not upheld and reasons for this are clearly given.

In the first instance, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

In the second instance, the complainant may either choose to take no further action or to take their complaint to the next relevant stage.

Confidentiality

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and accordingly, personal information will only be shared between staff on a 'need to know' basis.

(The exception to this is the requirement of the school to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, and to inspectors conducting inspections under section 162A of the education act 2002, as amended by schedule 8 of the education act 2005, or to the Secretary of State, should they ask for such records.)

Equal access, accompaniment and representation

Steps will be taken to ensure that any individual has the opportunity to raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented by a friend or relative at discussions and hearings and/or to submit formal complaints which have been written by another individual on their behalf. Should any meeting need to be held where any parties would have difficulties in terms of access, Hopewell School will assist with providing an appropriate venue.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood.

Time between stages

Although each of the stages within the procedure should occur consecutively, it is not necessary for each stage to immediately follow the last. Complainants may need some time to decide whether or not they wish to pursue the matter any further.

After each stage, the complainant and the individual who is dealing with their complaint at that time should agree an appropriate time limit within which the next stage should be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time limit it will be considered as closed.

Changes to time limits and deadlines

In general, the time limits and deadlines contained within this policy should be adhered to. However, in certain circumstances it may be deemed inappropriate or impossible to guarantee that this is possible. Where a complaint leads to criminal proceedings this will always be the case. If and when it becomes necessary to alter the time limits and deadlines set out within this policy, the complainant should be told and given an explanation as to why this has been the case.

Appeals

If at any stage, as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded, unjustified or incorrect they have the right to appeal. The School's appeal procedures will facilitate this. The Steps in the Complaints Process are outlined below in detail:

1. When a complaint is made, whether formally or informally, it must always be recorded in the 'Complaints File', to show the date and time of the complaint being made; the name of the person making it; the nature of their complaint; any response required/given; and the name of the person(s) dealing with it. Details of any complaint must always be carefully recorded, along with any supporting information such as to whom the complaint was made or evidence in support of the complaint.

2. Information about any complaint made must be passed immediately to the Head Teacher in the school, for him/her to make an initial assessment as to its seriousness and to monitor how complaints are being handled.
3. A decision must also be made at this stage as to how and when to inform any third party (ies) who may be the subject of the complaint.
4. The person making the complaint must be given the opportunity for their complaint to be dealt with informally in the first instance, (stage 1) with the assurance that their complaint will be taken seriously. They must also be assured that if they are not satisfied with the response they are given, they have the right to make their complaint formal. A copy of the 'Complaints leaflet' should be given to them.
5. When a formal complaint is made, it must be recorded in the 'Complaints File' and given a reference number based upon the date the complaint is received, the name of the person dealing with it, the name of the education site involved and the initials of the person making the complaint. (Stage 2)
6. The reference number and name of person dealing with the complaint must be given to the person making the complaint within 24 HOURS or 1 WORKING DAY of the complaint being received.
7. The matter should then be looked into and responded to, if not in full, within 3 WORKING DAYS, providing written details of how the matter has been dealt with or the timescale during which it will be investigated and fully addressed.
8. A written record will be kept throughout of all communication and actions planned or taken, so that the progress of any investigation can be monitored. The records will indicate whether the complaint was resolved satisfactorily at the preliminary stage or proceeded to a panel hearing.
9. The person assigned to investigate the matter must be independent of the substance of the complaint. If necessary, a senior member of staff from another site may be asked to undertake the investigation.
10. If the complaint cannot for any reason be investigated and responded to fully within 3 WORKING DAYS, the complainant should receive a written and verbal explanation stating what steps have been taken and the time frame for completion. The process of investigation and response should not exceed 10 WORKING DAYS, except in rare and exceptional circumstances. If this does occur it is vital that the Complainant is informed as to when they may expect a full response. It is essential throughout that the Complainant is kept fully informed of the progress of their complaint.
11. In response to any formal complaint, a written report must be prepared for the Head Teacher, who will consider the investigator's report and make a formal response. Should the matter then remain unresolved to the Complainant's satisfaction, he or she has the right to appeal the outcome, within 20 WORKING

DAYS or 4 WEEKS of the Head Teacher's report being received.

12. Where the Complainant wishes to appeal against the response provided, an Appeal hearing will be arranged by Holibrook House Ltd, Head Office, London. The appeal will be heard by a panel of at least 3 people, who have not previously been involved in the Complaint. At least one panel member will be nominated by the relevant Local Education Authority, to be fully independent of Holibrook House.
13. The complainant may attend the panel meeting and may also be accompanied by a friend.
14. The Appeal hearing will be arranged as quickly as is reasonably possible, (within specific time frames) and with suitable notice given.
15. Panel members will be asked to consider the substance of the original complaint and the response provided to this complaint by the Head Teacher. They will then be free to make their own findings and recommendations.
16. The outcome of any Appeal hearing will be formally recorded and copies of the findings and recommendations distributed to the Complainant, the Head Teacher, Holibrook House Ltd, LA and, where possible, any person(s) about whom the complaint has been made.

Pupil Concerns and Complaints

It is the aim of Holibrook House Ltd and Hopewell School to ensure that all pupils who attend the school have access to and understand the policy and procedures relating to the Complaints Policy.

Pupils will be encouraged to take full advantage of the procedures involved in this policy if they want to make a complaint using the process, informally or formally.

A member of staff may help the pupil complete the complaints form by writing the words for him/her, or by giving moral support whilst the pupil is discussing their complaint with the teacher or other person in the early stages of the process.

All pupils will be encouraged to ask for support in either of the above ways to ensure they feel confident and secure in making a complaint following the recommended procedures in this policy.

Guidance and sources

This policy has been developed after consulting:

- The Education (Independent School Standards) (England) Regulations 2003 Standard 7(a – I)

- DfE School Complaints Procedure Guidance;
- The best practice of local authorities;
- Literature pertaining to the Ecosystemic Approach
- 'Running a Complaints System' (The Local Government Ombudsman);
- Advisory Centre for Education; DfE School Government Team 2

The key principles of the policy - Legal context

From September 2003, under Section 29 of the Education Act 2002, it is stated that schools must have in place a procedure to deal with complaints.

Web link: <http://www.legislation.hmso.gov.uk/acts/acts2002/20032>

The School Standards and Framework Act 1998 provides an additional function to establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere.

Web link: <http://www.opsi.gov.uk/ACTS/acts1998/1998031.htm>

The policy should be read in conjunction with the following school policies:

- Safeguarding policy
- Risk Assessment
- Behaviour policy
- School Diversity and Equal Opportunity policy
- Teaching and Learning Policy

Please contact us if you require the policy in large print, Braille, in an alternative format or in a different language.

Policy Reviewed on: 28th November 2016

Policy Reviewed by: Susan Mayo

Ratified by Governors: *Date to be confirmed*