



COMPLAINTS POLICY

1. Introduction

Hartmore School, its directors, Headteacher and staff welcome all complaints and other comments. We endeavour to learn from them, and use lessons learnt to improve our school. We are always willing to listen and will do our utmost to resolve any concerns about the school or staff. We aim to deal with all worries and concerns on the part of pupils, parents, carers and external agencies in a positive and supportive manner. If we are unable to resolve the complaint, we will explain how to take the complaint further.

We will not discriminate or treat anyone any differently because they wish to complain.

2. Who Can Complain?

Complaints can be made by:

- Pupils (for and behalf of themselves or others)
- Parents, foster parents, carers and guardians
- Social Workers
- Placing Authorities and their representatives
- Managers and staff of Residential Care Providers
- Local services such as the Police, NHS etc.
- Managers and staff of contracted and other service providers (e.g. Taxi drivers, tertiary education providers)
- Neighbours & the Local Community
- Elected Representatives
- Other Key Stakeholders

This Policy will be provided, on request, to other agencies, professionals, relatives and friends, who wish to make a complaint on behalf of a pupil.

3. Informal Process

Where the teacher is the first point of contact it would be hoped that matters could be dealt with informally, quickly and effectively.

Our School has a clear policy for dealing with General Complaints. Our procedures ensure that anyone with an interest in the School can raise a concern which will be heard and if well founded, will be addressed in an appropriate, fair and timely fashion.

If someone says they are unhappy with the School or with the attitude or behaviour of staff; or for any other reason; the person receiving the information will take the following action:

- Check with the person that they feel comfortable speaking to them; or would they prefer someone else? Provide information regarding the availability of someone else. NB. We will ensure that no person who is the subject of a complaint takes any part in its consideration
- Read the Complaint back to the person to ensure they have accurately recorded what the person wishes to say. Record the name and contact details
- The member of staff receiving the information should try to resolve the problem immediately if possible, e.g. lost property, transport not arriving. The member of staff should ensure they record the action taken, and check and record that the person is satisfied with the outcome

If the problem is brought up by a pupil, staff must ensure that it is appropriately recorded in the Complaint Book, as well as any action taken and the satisfaction of the pupil with the outcome.

If the problem cannot be resolved immediately (within 24 hours) or is a serious matter then:

- All Complaints will be treated with respect and professional integrity.
- 'Complaint Forms' are available in the administrative office. Should it be necessary to formalise a complaint, matters would progress to the second stage
- Staff should explain what happens next. Staff should give the complainant a summary of the Complaints Procedure (Appendix I) and go through it with them. Help (if appropriate) them to make a complaint (e.g. filling in the complaint for with the pupil using their language, particularly if they struggle with reading and writing skills)
- If the complainant's first language is other than English, staff should make every effort to get their name, address, telephone number and the language they speak
- In recording a complaint, staff should ask the complainant what is the outcome they are seeking. This may not always be possible to achieve but it helps to clarify the nature of the complaint
- The complainant has the option of sending the complaint directly to the Directors

4. Stage 1: Formal Process

At all stages of the complaints procedure, complaints are entitled to be accompanied to any meeting, formal or informal (for example by a friend).

At all stages of the complaints procedure, all parties including the complainant, proprietor, head teacher, and where appropriate, the person being complained about, will be provided with written copies of findings and recommendations.

Once the Headteacher has received a formal complaint he will:

- Contact the complainant to record the details of the complaint and acknowledge the complaint in writing within 3 working days
- Notify the Directors that they have received a complaint
- Look into the complaint, seeking to resolve problems and/or asking for procedural guidance from the Directors as necessary
- A meeting will be convened to discuss the complaint within 10 working days. The person making the complaint may invite a supporter to accompany them in order to help explain the reasons for the complaint (In the case of a pupil this may be an Independent Visitor)
- Send a draft of the response letter to the Directors and amend draft as necessary based on advice
- The Headteacher will carry out a full investigation, where necessary involving other members of the staff team
- Once all relevant facts have been established a written response will be made. This will give a full response as to the decisions taken in view of the original complaint and will also explain any follow up action.
- Provide a final written response to the complainant within 14 working days setting out the findings of the Stage 1 problem solving process
- Ensure the complaint is fully documented and correspondence filed

The complainant, if not satisfied, can progress the complaint to Stage 2 of the Complaints procedure.

5. Stage 2: Formal Process

The complaint will be investigated by a director not previously involved in the complaint. The director will formally consider the complaint and any investigatory information and respond to the complainant within 25 days, outlining their findings and recommendation to the Directors.

Where it is not possible to complete the investigation within 25 working days, Stage 2 may be extended to a maximum of 65 working days. The complainant should be informed of the reasons for the delay and a date for completion in writing.

The complainant is entitled to a face to face meeting with the director and may be accompanied by a support person or advocate, who can be nominated to speak on the complainant's behalf.

If the complainant is still not satisfied, then it will progress to Stage 3.

5. Stage 3: Formal Process

If the complainant remains dissatisfied with the response, If a complainant is not satisfied with the outcome of Stage 2, the complainant can refer the matter to be considered by a panel convened by the company. At least one of whom will be independent of the organisation.

The panel will acknowledge receipt of a complaint in writing usually within 5 school days. This letter will set out a time frame for events. Arrangements will also be made for the complaints panel to hear the complaint usually within 15 school days of receipt of the complaint.

The complaints panel will contact all those involved in the matter to ascertain when they will be able to attend. All parties will be given 5 days' notice of the meeting.

The person against whom the complaint is being made will be given sufficient time usually 10 school days to consider all the evidence and take advice before providing a response.

If a member of staff has been accused of a serious complaint, this includes inappropriate verbal or physical behaviour, and is listed under the staff code of conduct, then the Head teacher will decide on whether the member of staff should be isolated from the pupil who has made the complaint, or indeed should be suspended from work until a conclusion has been made.

Once all the evidence has been presented the complaints panel will consider its decision in private.

The panel will consider:

- The evidence
- Whether the Headteacher or others have complied with this complaints procedure
- Whether there is substance to the complaint

The panel will decide upon:

- Whether or not the complaint is upheld
- Any action to be taken by the Directors, Headteacher and/or members of staff in the light of the decision
- Any recommendations for changes to school policies or procedures

The panel's decision will be sent in writing to the complainant usually within 5-school-days of the hearing and will outline the reasons for the decision and any remedial action taken by the school.

Once the decision of the complaints panel is made known, all parties should have understood the reasons for the decision and be satisfied that even if they have not been successful the hearing was a fair one.

The school procedures provide for an appeal stage. The letter stating the decision of the complaints panel will therefore also contain:

- A statement of the right to appeal, together with the address of the complaints panel.
- The date by which any notice of appeals needs to be lodged i.e. 15 school days after the day on which notice in writing was given of the panel's decision
- A statement that any appeal must set out the grounds on which it is made.

5. Stage 3: Formal Process – Appeals

The appeal panel will meet to consider an appeal, no later than the 15th school day after the day on which the appeal was lodged. Membership of the appeal panel will be different from the membership of the first complaint panel. One of the members will be independent of the organisation. The chair of the appeals panel will circulate all written evidence to all parties usually 5-school-days before the hearing.

Written evidence will include the statement of decision by the complaint panel, the notice of appeal, which gives grounds for the appeal and any written representations from any party.

Proceedings for the appeals panel will be the same as for the complaint panel. The appeals panel should attempt to secure closure of the complaint. If the complaint is not upheld, the decision letter will make clear:

- That the complaint has been thoroughly investigated
- The findings of the appeal panel are final. There is no further process of appeal

The letter will also explain that the Local Authority can review the procedures used through the complaints process, but not the decision of the appeal panel. Any complainant who wishes the matter to be referred to the Responsible Person for consideration, they must clearly state the for this request.

6. Complaints about the Headteacher

If the complaint relates to the Headteacher, the member of staff must contact the Directors who will follow the complaints procedure. Copies of such complaints will be circulated to the Headteacher who will be kept fully informed during progression and management of the outcome.

The director will decide whether the matter is for consideration under the complaints procedure, ascertain whether it needs to be referred to other authorities and finally decide whether he needs to delegate the matter to another suitable member of the organisation in the light of prior involvement. Such an investigation will be carried out as at Stage 2 of the procedure. If the complainant is not happy with the outcome, they will progress to Stage 3.

7. Role of the Local Authority (LA)

The LA does not have a statutory role in resolving complaints about school. The statutory responsibility rests with the board of directors of Hartmore School. However, the LA may be asked to assist in investigating a complaint or to give advice on the handling of a complaint or advice on the response to a complaint.

8. Recording & Monitoring Complaints

A record of complaints is important because it enables the school to monitor the progress of a complaint, provide evidence that the complaint has been considered and the outcome noted. In addition, it enables the school to identify trends and recurring themes in complaints cases.

There is a clear objective of providing full written outcomes and findings to the complainant. However, due cognisance must be taken regarding confidentiality in matters relating to:

- Other pupils and their families
- Matters pertaining to any subsequent disciplinary action against any member of staff
- Confidentiality relating to contractual matters with the LA or others

Recording of Complaints & Outcomes

A record of all complaints will be kept confidentially in the complaints file. Records will indicate the level at which the complaint was resolved (i.e. informally, stage one, appeal etc).

9. Complaints Not Made on Behalf of Pupils & their Families

Complaints made by members of the public in their own right (e.g. Neighbours of the home) will be dealt with under the same complaint procedure

Complaints made by professionals (e.g. teachers, health visitors etc) will be dealt with directly by the Headteacher (or a Director if the complaint is about the Headteacher).

10. Monitoring

The Headteacher regularly reviews the records of complaints by children, or concerning the welfare of children, to check satisfactory operation of the complaints procedure and to identify both patterns of complaints and actions taken on individual complaints.

The Headteacher takes any appropriate action from such a review in relation to the school's policies, procedures and practices, as well as taking any necessary further follow-up action in relation to individual cases.

The Headteacher shall maintain a record containing all complaints made and the action that was taken.

11. Review

This Policy will be reviewed every 24-months. It was reviewed in October 2020 and will be review again on or before September 2022.