



## PURPOSE

It is intended that this policy shall be utilised when all informal methods of approach to a situation have failed, or a satisfactory solution has not been achieved.

In this respect, we have found that issues which may cause concern are better dealt with sooner rather than later. Situations may be prevented if both parents and school aim to contact each other at the onset of any problem.

The school will ensure that:

- They are open to the concerns of parents and students
- Complaints are received in a positive and welcoming manner
- Complaints are taken seriously
- Information about the school's Complaints Procedure is clear and readily available
- The staff respond to complaints within a reasonable time and in a courteous and efficient manner
- Complainant is advised how the complaint is being handled
- Students are not adversely affected because they or their parents have made a complaint
- Confidentiality is respected and knowledge of the issue is restricted to those directly involved
- Where complaints are found to be justified, appropriate action is taken
- Resolution of the matter is sought
- A Complaints Log is kept to note trends and patterns
- Staff training and development covers the effective handling of complaints

## UPDATE TO POICY

- Bullet checklist of what the school will do
- Sources of complaint including anonymous and student
- Mediation and Further Action
- Confidentiality
- Training of staff
- Reference to the Grievance Procedure and other policies if staff complaint
- Links to Scottish School Standards and SCIS
- Review of Associated Documents
- Ability to pick relevant Legislation

## SCOPE

This Policy applies to all Trustees, Staff, Students, Parents and Guardians both current and prospective Students.

## POLICY STATEMENT

The object of this policy and procedure is to enable anyone (particularly parents of pupils at the School) who has a complaint relating to the school, to have it dealt with at an appropriate

level, fairly and as quickly as possible after initial attempts to resolve in an informal way have failed.

In school there are essentially four sources of complaint: parent or carer, students, staff and the public. This document deals mainly with procedures for parents and students.

The same principles will apply if a complaint is raised by a student.

Complaints from members of the public should be treated in a similar way to complaints from parents: a complaint from the public will be referred directly to the Lead CA.

Anonymous complaints many come from the public, parents, students or staff with no indication of either name or address, or from complainants who do not wish to be identified, normally these will only be considered in exceptional circumstances.

The Complaints Policy will cover a wide range of issues but will not apply to areas where there are separate and / or specific policies and procedures in place for example Child Protection, Bullying or exclusion.

This policy is not intended to cover complaints from members of staff which would normally be dealt with through the Grievance or other internal procedures.

It is a regulatory requirement for a school to have a complaints procedure.

Anyone wishing to use this procedure should feel free to do so, safe in the assurance of confidentiality referred to below, and the assurance that the proper use of this procedure will not prejudice the standing of the complainant or of any child of the complainant in the eyes of the school or its Trustees or other management.

A copy of this policy shall be made available on request to all parents or guardians of pupils and to parents or guardians of prospective pupils at the school.

At all stages a complainant shall have the right to be accompanied by another person during any interview or hearing.

If it becomes apparent at any stage that a complaint relates to a child protection issue, the complaint shall be dealt with under the school's Safeguarding / Child Protection Policy procedures which shall take precedence over this procedure, including obligations as to disclosure.

All staff who have contact with parents, including support staff should be made aware of the principles and basic details of the Complaints Policy and procedure.

## **PROCEDURES**

### **Timescales**

The timescales noted below should be followed however it is understandable that some flexibility will be required and that timescales can be extended for example to carry out further investigation or to account for holiday or sickness absence.

### **Stage 1 – Informal Stage, resolution of the Complaint**

- 1.1 Initially a complaint should be made verbally on an informal basis to the Lead CA of the School.
- 1.2 If the complaint relates to the Lead CA, the complaint should, initially, be made verbally to one of the Trustees of the School.

- 1.3 The Lead CA or Trustee shall give the complainant full opportunity to present and thoroughly discuss his/her complaint. The Lead CA or Trustee shall thoroughly investigate the complaint and consult with such other persons as may be necessary.
- 1.4 The Lead CA or Trustee shall give his/her response in writing to the informal complaint as quickly as possible and, in any case, within 10 days of the complaint being made to him.

### **Stage 2 – Formal Stage – Referral to the Chairman**

- 2.1 If the complainant is not satisfied with the response to the complaint dealt with at Stage 1 above, the complainant may within 14 days of the expiry of the 10 day period referred to in paragraph 1.4 above, make his / her complaint in writing to the Trustees who shall arrange a meeting of two Trustees who are independent and not involved in the complaint with the complainant. They will thoroughly investigate, discuss and consider the complaint and will make a response. After such consultation with others as may be necessary, the two Trustees shall give their response in writing to the complainant as quickly as possible and, in any case, within 14 days of the Trustees receiving the complaint in writing.
- 2.2 If a complainant wishes, they may by-pass Stage 1 and make their complaint in writing to the Trustees, to be dealt with under paragraph 2.1 as above.

### **Stage 3 – Review Stage – The conciliation Committee**

- 3.1 If the complainant is not satisfied with the response to the complaint under Stage 2, the complainant may, within 14 days of the expiry of the 14 day period referred to in paragraph 2.1 above, make a written request to the Trustees for the complaint to be heard before a panel appointed by or on behalf of the proprietor. The panel shall consist of at least three people who were neither directly involved in the matters detailed in the complaint, nor involved in hearing the complaint at Stage 2. At least one of the panel shall be independent of the running and management of the school, and shall not be either a Trustee of Focus Learning Trust or a Trustee or Headteacher of another Trust or School which is affiliated to Focus Learning Trust. Another of the panel shall be drawn from a list of the Trustees for the time being of Focus Learning Trust and of other persons nominated by Focus Learning Trust as suitable persons to sit on complaint panel hearings.
- 3.2 The panel hearing shall be held as soon as reasonably possible and, in any case, within 14 days after the Trustees have received the written request for the panel hearing. The hearing shall be at a time and place which is reasonably convenient for the complainant, who may attend the hearing and be accompanied by another person.
- 3.3 The panel shall conduct its hearing in such manner as it sees fit and may ask questions and consider such evidence and hear the views of such persons as it sees fit. The panel shall allow the complainant full opportunity to present their case and shall hear, investigate and adjudicate upon the complaint in a fair and judicial manner in accordance with the rules of natural justice.
- 3.4 The panel shall check any corroborative evidence and assess the credibility of the complaint. The panel shall take a confidential written note of its proceedings and may, at its discretion, ask the complainant to sign a copy of the note to signify their agreement to its accuracy.
- 3.5 The panel shall make known its findings and recommendations within 14 days of the hearing. A copy of the findings and recommendations will be provided to the complainant and the Trustees and the Lead CA of the School and, where relevant, the person complained about. The findings and recommendations shall be available for inspection on the school premises by the proprietor and the Headteacher.

3.6 The decision of the panel shall be final.

### **Mediation and Further Action**

If a complainant feels that the school's efforts to resolve a complaint internally have not been effective, one option is for both parties to agree mediation, facilitated by an impartial third party. There are several mediation services available and options will be discussed with all parties should there be a need.

### **Confidentiality**

Confidentiality is an important issue for students, parents and staff and it is essential that all complaints are treated in a professional and sensitive manner.

### **Record Keeping**

- 4.1 A written record will be kept of all complaints and the responses thereto and of whether the complaints are resolved at the preliminary stage or proceed to a panel hearing.
- 4.2 The number of formal complaints registered under this procedure during the preceding school year is provided or is made available to parents of pupils and prospective pupils as required by the independent school regulations for example in the School Prospectus.
- 4.3 Ensure that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting a relevant inspection requests access to them.

## **CONTEXTUAL INFORMATION about York Campus relevant to the Complaints Policy and its implementation in the Campus.**

N/A

## **ASSOCIATED DOCUMENTS**

The Complaints Policy is further supported by the following policies:

- Admissions Policy
- Anti-Bullying Policy
- Behaviour Management Policy
- Child Protection Policy and Child Protection and Safeguarding Procedures Handbook
- Data Protection Policy
- Equality of Opportunity Policy and 3 Year Accessibility Plan
- Examination Policy and Handbook including specific Exam body guidance
- Parent Student Handbook
- Prospectus
- Public Interest Disclosure (Whistleblowing)
- Grievance and Disciplinary Policy
- Capability Procedure
- SEND Learning Support Policy and Procedures
- Staff Handbook
- SCIS Guidelines for Handling Complaints and Concerns December 2013

## LEGISLATION

- Equality Act 2010
- Human Rights Act 2000
- : The Education (Independent School Standards) (England) Regulations 2014.  
Education Act 2002 / The Education (Scotland) Act 1980 Standards in Schools etc  
Act 2000 delete as appropriate

## ISSUED BY

Focus Learning Trust

Issue date: September 2016

Review date: September 2017

Version: 6

Signed by Chair of Board of Trustees: .

At a Trust Meeting on (Date):