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### **Availability of the Complaints Policy and Procedure**

This policy and procedure is available on request to pupils, the parents/carers and the referrers of pupils and prospective pupils of Included. While pupils may, themselves, raise concerns and complaints under this policy and procedure, Included will involve parents/carers and referrers should this occur. Copies are available from;

#### **Main Office**

**INCLUDED**

**8 Alexandra Road South**

**Whalley Range**

**Manchester**

**M16 8ER**

**Tel: 0161 971 1352**

## COMPLAINTS POLICY AND PROCEDURE

This policy and procedure is for the benefit of pupils, and parents of pupils, at Included. This policy and procedure will be relied upon in respect of **all complaints** by parents/carers, pupils and referrers made against Included except in respect of;

- (a) child protection allegations where a separate policy and procedure applies;
- (b) exclusions where a separate policy and procedure applies.
- (c) appeals relating to internal assessment decisions for external qualifications where a separate appeals procedure applies.

Included expects that most concerns can be resolved informally and will use its best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis. If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Principal and will be dealt with under this Complaints Policy and Procedure. Every complaint shall receive fair and proper consideration and a timely response. Everything possible and practical will be done to resolve the concern and to ensure that parents are happy with the education that their child receives at Included.

Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially. Correspondence, statements and records will remain confidential except in so far as is required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

### Complaints Procedure

Our Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to AIM's senior management team so that services can be improved.

Included will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

**Stage One - Informal Resolution**

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. If parents have a complaint they should normally contact the principal. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Head cannot resolve the matter alone, it may be necessary for her to consult senior management or the Company Director.
3. Complaints made directly to a Company Director will usually be referred to the Head unless the Director deems it appropriate for him to deal with the matter personally.
4. The Head will make a written record of all concerns and complaints and the date on which they were received. These records will be kept for one year after the pupil leaves the Head.
5. Included will use its reasonable endeavours to resolve any informal complaints within ten working days of them being raised, except where they are raised in Included holidays or within two working days of their commencement where Included will use its reasonable endeavours to resolve them as soon as possible after commencement of the new term (usually within ten working days).
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the principal and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

**Stage Two - Formal Resolution**

7. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents should put their complaint in writing to the company director. Parents should also identify how they wish their complaint to be resolved.
8. The company director will delegate responsibility for undertaking investigation of the complaint to a Head unless he deems it appropriate for him to deal with the matter personally.
9. The company director will decide, after considering the complaint, the appropriate course of action to take.
10. In most cases, the company director will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.
11. The company director will use reasonable endeavours to speak to or meet parents within ten working days of the formal complaint being received, except where the complaint is received in Included holidays or within two working days of their commencement where the company director will use his reasonable endeavours to speak or meet with parents as soon as possible after the commencement of the new term (usually within ten working days).
12. It may be necessary for the principal to carry out further investigations.

13. The company director will keep a written record of all meetings and interviews held in relation to the complaint.
14. Once the company director is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten working days after speaking or meeting with parents to discuss the matter (pursuant to paragraph 10 above). The company director may also arrange to meet with parents to explain the decision.
15. Included will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and IncludEd's decision, which record will be kept for one year after the pupil leaves Included. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
16. Where parents are dissatisfied with the outcome of the IncludEd's response to their formal complaint, the parents have the opportunity to have their complaint considered by an independent Complaints Panel.

### **Stage Three – Panel Hearing**

17. If parents seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the company director's decision in respect of their formal complaint, the parents may, in writing addressed to Included, request that their complaint be further considered by an independent Complaints Panel set up for this purpose.
18. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.
19. Parents must lodge their appeal in writing and within ten working days of the date of IncludEd's decision made in accordance with the Stage Two Procedure. The parents should provide a list of their complaint(s) made against Included and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

20. Where an appeal is received by Included, Included will, within five working days, refer the matter to the Clerk of the Management Committee who will act as Clerk to the Complaints Panel. Where the appeal is received by Included during Included holidays, or within two working days of their commencement, Included has five working days upon commencement of the school term to refer the matter to the Clerk.

21. The Clerk provides an independent source of advice on procedure for all parties.
22. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five working days, and inform the parents of the steps involved in this Complaints Procedure.
23. The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty school days after receipt by the Included of parents' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
24. The independent Complaints Panel will consist of two members of the Management Committee who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department of Education (DfE)
25. The proprietor is responsible for the appointment of the panel. The procedure must set out clear timescales for the management of the complaint i.e. providing adequate notice of the hearing etc;
  - (a) Parents must be allowed to attend and be accompanied to panel hearing if they wish.
26. Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
  - (a) documents in support of complaint(s),
  - (b) chronology and key dates relating to complaint(s), and
  - (c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents.

27. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five working days in advance of the Panel hearing.
28. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
29. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten

working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for Included will need the appropriate approval from the relevant authorities e.g. the Management Committee and Included, although any such approval must be compatible with the decision of the Complaints Panel.

30. The Panel's findings will be sent by the Clerk in writing to the parents, the Chief Executive, the Management Committee, the Trust and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel. All correspondence is to be kept confidential.
31. A copy of the recommendations and findings for the Proprietor and Head will be made available for inspection on the school premises. All correspondence, statements and records of complaints will be kept confidential and will be shown to Ofsted/ISI when they inspect. Copies will also be made available to the Registration Authority on request
32. Included will keep a record of all appeals, decisions and recommendations of the Complaints Panel, the records will be kept in a secure area for one year after the pupil leaves Included.

Please see **Manchester Secondary PRU Complaints Policy** for a more guidance.

<http://www.mspru.manchester.sch.uk/wp-content/uploads/2016/12/BS-008-Complaints-Policy-v2.pdf>

## INCLUDED Complaint Form

### (Annex A)

Please complete and return to: **Noreen Khan (Head)** who will acknowledge receipt and explain what action will be taken.

Your name: .....

Pupil's name: .....

Your relationship to the pupil: .....

Address: .....

..... Postcode: .....

Telephone number: .....

Please give details of your complaint. ....

.....

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.....

What action, if any, have you already taken to try and resolve your complaint.

.....

.....

.....

(Who did you speak to and what was the response)?

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What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? If so, please give details.

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Signature: .....

Date: .....

**Official use**

Date acknowledgement sent: .....

By who: .....

Complaint referred to: .....

Date: .....



## Complaints Procedure Flowchart

### (Annex B)

Pupils can complain to:

