

# Complaints Policy

Policy: November 2017  
Policy to be reviewed: September 2019

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## COMPLAINTS PROCEDURE

All parents, carers and Local Authority supporters of young people in our school will have access to a written description of our transparent complaints procedure. This information will be available on our website and/or in the school.

This procedure aims to reassure parents and others that:

- Any complaint against the School will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for our students.

All complaints will be investigated, properly considered and the findings made known to the Head Teacher / Proprietor, to the complainant and to others about whom a complaint has been made. Where the matter cannot be resolved by mediation, the complaints procedure will apply.

## SCOPE OF THE PROCEDURE

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work.

This procedure deals with day-to-day complaints about the management of PHOENIXPLACE and/or day-to-day running of the school. This does not include issues concerning admissions, exclusions, SEN assessments, safeguarding issues or serious allegations of professional abuse, criminal offences or staff disciplinary matters which would be dealt with in accordance with the appropriate policies and procedures.

Anyone may complain eg parents, carers, neighbours or anyone with an interest in the school. However, it is expected that it would be mainly parents or carers.

A complaint may be made by telephone, email, in person or in writing.

Guidance may be requested from the Local Authority when the complaint is made, by both parent/carer or the School. However, the Local Authority is not responsible for investigating the complaint which will be dealt with internally by the School.

A record will be kept of all conversations and meetings with the parent/carer to resolve complaints. Minutes will be taken in all formal meetings. All of these will be kept on file separately from the student records.

There may be occasions when, despite efforts to resolve the problem, the parent/carer still remains dissatisfied.

If the parent/carer seeks to re-open the same issue, PHOENIXPLACE reserves the right to inform him/her in writing that the matter is exhausted and the matter is closed.

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## INVESTIGATION OF A COMPLAINT

### Stage 1: INFORMAL STAGE

On occasion a parent may raise a concern directly with school staff without any formality. At this point the School will seek to clarify the issue and resolve the concern in a speedy and effective way.

However, if the concern is not resolved immediately and a complaint is confirmed by the parent, the opportunity to discuss the matter with an appropriate member of staff will be given. In case of complaint against the Headteacher this stage will be heard by another director. The director will discuss the issue with the parent/carer and those involved in school with the aim of resolving the complaint as soon as possible.

The parent will be informed of the outcome of the investigation and what action, if any, the School proposes to take. If the informal process has been exhausted and no satisfactory solution has been found the parent will be asked by the member of staff dealing with the complaint whether he/she wishes the complaint to be dealt with formally at stage two of this procedure.

If wishing to proceed with the complaint, the parent will be invited to put the complaint in writing to the Directors of PHOENIXPLACE

### Stage 2: REFERRAL TO THE DIRECTORS FOR FURTHER INVESTIGATION.

The Directors will acknowledge receipt of the written complaint within 5 school days of receipt and provide an opportunity to meet the parent/carer to discuss this complaint.

The Directors will investigate the complaint and a response will normally be sent within 10 school days. If this is not possible a letter will be sent explaining the reason for the delay and providing a revised target date.

The written response will include full reasons for the conclusions reached by the Directors and what action, if any, the School proposes to take to resolve the matter.

If the matter cannot be resolved at this stage then, providing the issue is not urgent, the Head Teacher will give the complainant a private interview and make a written statement about the core issues of the complaint.

This interview will take place no later than 24 hours after the initial complaint has been received. It may be decided, with the complainant's consent, to involve other members of staff in an attempt to resolve the matter by negotiation.

### Stage 3: FURTHER ACTION

Should the matter still remain unresolved the School will make provision for a hearing before a panel appointed by or on behalf of the School and consisting of at least three people who were not directly involved in the matters detailed in the complaint. In addition, at least one panel member is independent of the management and running of the school.

A meeting should be set up with all parties involved **within 20 working days** of the complaint being received. A letter outlining the outcome of the meeting will be sent to the parent/carer **within 5 working days** of the meeting.

The parent(s) or carer(s) filing the complaint will be able to attend the hearing and can be accompanied if they wish.

The hearing panel will make findings and recommendations, and copies of those will be provided to the complainant, and, where relevant, the person complained about, and will be available for inspection on the school premises, by the proprietors.

Written records will be kept of all complaints that are not resolved on an informal basis, whether they are resolved following formal procedures or panel hearing. All actions taken by the school as a result of those complaints (regardless of whether that are upheld or not) will also be formally recorded.

All complaints, statements, correspondence, minutes, notes, and records of conversations will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

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## Complaints Panel Hearing

- The complainant and/or their advocate will be invited to attend the hearing.
- Parents will also be allowed to attend and be accompanied at the panel hearing if they so wish. The hearing itself will be conducted in a non-threatening, supportive way to ensure the complainant feels sufficiently comfortable to be able to explain the complaint in detail.
- The panel will be sensitive to the needs of the complainant.
- The complainant will be able to be accompanied by a person of their choice to act as an advocate or to support them if this is requested.
- The panel will hear the complaint presented by the complainant and then ask them to leave.
- The panel will then consider all available information and may ask for further investigations to be carried out if necessary, prior to making a decision about the outcome.
- Once a decision has been reached, the complainant, Head Teacher and where relevant, the person about whom the complaint has been made, will be informed in writing of the outcome and of any further action that might be taken.

## Recording the outcome of the complaint

Written records will be kept of all complaints and their outcome, whether they were resolved at the preliminary stage, when a complaint was submitted in writing or whether they proceeded to a panel decision. The record will be maintained in the Complaints Log/folder. All correspondence, statements and records of complaints will be kept confidential.

## The outcome of the complaint

If the complainant remains dissatisfied with the outcome, the Head Teacher will contact the Local Authority when it is expected that the LA's Complaints Procedures will be invoked. At any stage the complainant may wish to circumvent the above procedure and contact their Local Authority, or the Local Authority's Children's Rights Office directly.

Alternatively, the complainant can contact Ofsted to voice their complaint.

Any complaints or representations concerning issues of safeguarding will be dealt with via Children's Safeguarding procedures.

The complainant and their representative must be kept informed of the progress of the complaint throughout the whole process. If the complaint is against the Head Teacher, the complainant may in the first instance contact the Local Authority or Ofsted.

When necessary, relevant issues will always be brought to the notice of:

- a) The Placing Local Authority
- b) Parents / Carers
- c) Office for Standards in Education, Children's Services and Skills (Ofsted)
- d) The Registration Authority, the Department for Education (DFE)

All complaints concerning allegations of student abuse will always be brought immediately to the attention of the appropriate London Borough's Children's Social Care and the Referring Authority in accordance with the school's 'Safeguarding Policy'.

All complaints and their outcome are recorded in the Complaints Folder, which is kept in the School Office and copies are made available and open to inspection by the Registration Authority, the Department for Education (DFE) on request, and Ofsted.

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## PHOENIXPLACE – Complaints Form

Complainants Details	
Your name:	
Student's name:	
Your relationship to the student:	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Email:	
Please give details of your complaint.	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
Official use	
Date acknowledgement sent:	
Complaint referred to:	
Date:	