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TIME

Complaints Policy

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Contents

1. Aim and Principles of Policy.....	3
2. Legislation and guidance.....	3
3. Key Principles of this policy are:	3
4. Definitions and Scope	3
5. Monitoring and Recording Complaints	4
6. Upholding or Not Upholding the Complaint	4
Complaints.....	5
7. Stages of the Complaints Process	5
7.1 Stage 1	5
7.2 Stage 2	5
7.3 Stage 3	5
7.4 Stage 4	5
7.5 Stage 5	6
8. Learning lessons	6
8.1 What is not covered by the Complaints Policy	6
9. Monitoring Arrangements.....	6
10. Links with other policies dealing with other forms of complaints include:.....	7

1. Aim and Principles of Policy

Our school aims to meet its statutory obligations when responding to complaints from parents of students at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

All staff, volunteers, governors, students and parents at This Is My Education should be made aware of this complaints policy and any other policies that may be inter-related (i.e. Behaviour, Discipline, Anti Bullying Policy, Health and Safety Policy etc).

2. Legislation and guidance

This policy has been developed after consulting the guidance of:

- Department of Education (DfE) Complaints guidance
- Best practice from other local authorities

3. Key Principles of this policy are:

- Accessibility – useable format, free from jargon, assuming no specialist knowledge
- Good Communication – clarification of the process involved in dealing with complaints
- Clear and adhering to recommended timescales (where appropriate)
- Clarity over roles and responsibilities of those involved in the process
- Appropriate confidentiality which must be maintained by all involved in the process (including any staff, volunteers and members of the board)

4. Definitions and Scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day to-day communication as far as possible.
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Summary

This policy sets out the procedure in which This Is My Education will follow whenever it receives a complaint for which there are not alternative statutory procedures. In all cases where the complaint directly concerns the proprietor, the Complaints Panel (or nominated member) in the first instance will investigate the complaint.

Informally

The appropriate Head Teacher will also be alerted. If complaints about the organisation are brought to the attention of the Local Authority, the complainants will be advised to contact the organisation and to follow procedures set out within the organisation's complaints policy. This policy may be used by anyone who has a concern or complaint about any aspect of This Is My Education. In the main this will mean parents of students that are unroll at This Is My Education or other members of the community. The complaints panel may need to consider setting up a collaboration arrangement with another school's governing Body in the eventuality of not having enough impartial members of the Complaints Panel to hear the appeal.

5. Monitoring and Recording Complaints

At all stages of the complaints procedure the following information should be recorded:

- Name of the complainant.
- Date and time at which the complaint was made.
- Details of the nature of the complaint.
- Desired outcome of the complainant.
- How the complaint is being investigated (including written records of any interviews held).
- Result of the conclusions of investigations.
- Any actions taken.
- The complainant's response.
- Record of any subsequent action if required.

All correspondence, statements and records relating to the individual complaints will be kept confidential in accordance with the GDPR except where the Secretary Of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

The Senior Leadership Team will appropriately monitor the general nature of any complaints at SLT meetings and an annual report is produced each academic year to inform practice and potential involvements to procedures and policies within This Is My Education.

6. Upholding or Not Upholding the Complaint

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

- That the complaint is upheld (in full or part) and where appropriate some form of action is taken, or
- That the complaint is not upheld and reasons for this, where appropriate are clearly given.

In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering to the complainant one or more of the following:

- An empathetic response.
- An explanation of events.
- A recognition of the situation could have been handled differently or better.
- An explanation of the steps that have been taken to endeavour that this will not happen again. (However, this must not include any information or detailed action taken involving a staff member).
- An undertaking to review organisation policies in light of their findings of the complaint.

The complainant may choose to take no further action or take their complaint to the next stage.

All formal complaints must be logged with:

Complaints

Jillian Fairclough

Logic House

Central Street

St Helens

Jillianfairclough@thisismyeducation.org.uk

07771359298

7. Stages of the Complaints Process

7.1 Stage 1

The complainant raises the complaint/issues with the proprietor/Head Teacher. Most concerns can be resolved satisfactorily at this stage. However, the staff member may feel it more appropriate to refer the complaint to another member of the SLT who will try and resolve the concern informally, within 5 working days

7.2 Stage 2

If the complainant remains unhappy, they should formally put their concerns in writing or arrange an appointment to make their concerns formally in writing with the Head Teacher. They will then investigate the concerns and respond within agreed timescales. An acknowledgement will be made of the concern/complaint within five teaching/working days. The Head Teacher will respond within 15 working days of receipt of the complaint. If this is not possible to meet these timescales, then the responder will contact the complainant to discuss reviewing these.

If The concern or complaint is against the Head Teacher, the complainant will need to write in confidence to a nominated (by the proprietor) member of the Governing Board. They will seek to resolve the issue informally before, if necessary, moving to stage 3. If the concern or complaint is about the proprietor, the complaint will need to be handled by the Governing Body.

7.3 Stage 3

If the Head Teacher is unable to resolve the concern to the satisfaction of the complainant, the complainant may write to complaints panel. They will acknowledge the complaint to be heard (within agreed timescales). There will be at least 3 panel members, and they will have no previous involvement or knowledge of the case and there will be at least one panel member who is independent from the management and the running of the organisation. The chair of the complaints panel will contact the complainant with the arrangements. The complainant may attend the panel hearing and can be accompanied if they wish.

Once the panel have been held the complainant and This Is My Education will be informed of their decision within five teaching /working days. If this is not possible to meet these timescales, then the Chair of the panel will contact both parties and discuss a mutually convenient date.

A copy of the findings and recommendations will be provided to the complainant and, where relevant, the person complained about. There will also be a copy available for the inspection on the organisation's premises by the proprietor, Head Teacher.

7.4 Stage 4

If the complainant remains unsatisfied by the outcome of the panel, they may contact the local authority, who will investigate if the organisation's complaint procedure has been carried out appropriately. However, the Local Authority cannot overturn a panel decision.

7.5 Stage 5

If the complainant is unsatisfied at the end of Stage 4 they can contact the Secretary Of State:

Secretary of State for Education
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Where any complaint is made formal and in writing all records must be kept whether, they are resolved following formal procedures or proceed to a panel hearing and action taken by the organisation as a result of those complaints, regardless of whether they are upheld.

All records must be kept confidential in line with GDPR except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests to access them.

Records that must be kept include:

- Correspondence
- Statements
- Records relating to individual complaints.

Requests for information pertaining to complaints in the previous year, can be requested by contacting our Head Teacher (Jillianfairclough@thisismyeducation.org.uk)

8. Learning lessons

The schools Governing Body will review any underlying issues raised by complaints with the headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

8.1 What is not covered by the Complaints Policy

- Issues relating to child protection – in the first instance contact the Designated Safeguarding Lead.
- Employee grievances/disciplinary/dismissal – Refer to This Is My Education personnel handbook for the process. Where a complaint results in a staff grievance or disciplinary it is important that the organisation follows the appropriate procedures and that the complainant should not be given any details of the action involving an individual staff member.
- Appeals against accreditations decisions. Should refer to student handbook.
- Criminal Investigations – Refer to the police.

9. Monitoring Arrangements

This policy will be reviewed tri-annually by the Head Teacher but monitored and updated if there are any major changes in legislation. This policy will be ratified by the School Governing Body.

10. Links with other policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Behaviour policy
- Code of Conduct
- Antibullying policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy Privacy notice