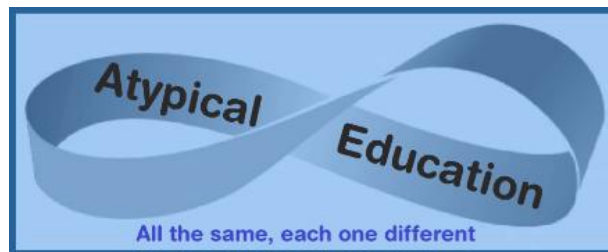


Complaints Policy & Procedures

Atypical Education



Approved by:	Emma Oxnam	Date: 1 st September 2022
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1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are supported by Atypical Education. Any person, including members of the public, may make a complaint to Atypical Education about any provision or services that it provides. We will not normally investigate anonymous complaints.

Unless complaints are dealt with under separate statutory procedures, this complaints procedure will be used. Atypical Education are committed to acting fairly but firmly where its provision or the conduct of its staff has been less than satisfactory. Complaints are a valuable indicator of performance and are to be responded to in a sympathetic and consistent manner.

2. How to raise a concern or make a complaint

All Alternative Provision must have a complaints procedure under Education (Independent School Standards (England) Regulations 2014 Schedule 1 Part 7. It is expected that all complaints will be. This Complaints Policy excludes:

- Safeguarding Complaints (see Safeguarding policy)
- Allegations of abuse against a member of school staff (see safeguarding and whistle blowing policies)

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with Emma Oxnam, the Owner. If the issue remains unresolved, the next step is to make a formal complaint. Please mark them as Private and Confidential. Complaints that involve or are about the Owner may involve the Local Authority Designated Officer (LADO) who will provide advice and guidance, liaise with organisations and monitor progress to ensure serious cases are dealt with as quickly as possible, consistent with a fair and thorough process.

For ease of use, a template complaint form is included at the end of this procedure. You can also ask third party organisations like the Citizens Advice to help you. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints

procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame may be considered if exceptional circumstances apply.

3. The difference between a complaint and concern

A **concern** may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A **complaint** may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Atypical Education take concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

4. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Atypical Education, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions	Concerns about admissions should be handled through a separate process via the local authority (Suffolk County Council)
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO central telephone number 0300 123 2044
Exclusion of children from activities	See Behaviour policies.
Whistleblowing	Atypical Education has a whistleblowing procedure for all our staff and contractors. Volunteers or contractors who have concerns should complain through the complaints procedure.
Staff grievances	Complaints from staff will be dealt with under the internal grievance procedure
Staff conduct	Complaints about staff will be dealt with under the internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint or advice sort from LADO. However, the

	complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers , schools or premises	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact the ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, you will be informed of a proposed new timescale.

If a complainant commences legal action in relation to their complaint, Atypical Education will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

5. Resolving Complaints

At each stage in the procedure, Atypical Education wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Each complaint will be considered individually based on the context and content of the complaint and not with reference to the handling or outcomes of previous complaints

6. Withdrawal of a complaint

The complainant may withdraw the complaint at any time, we will ask them to confirm this in writing. Findings are to be recorded and appropriate action taken to reduce the likelihood of similar complaints in the future.

In all cases, correspondence and/or records of any discussions must be documented, and a copy retained for a minimum of 10 years for future reference or query.

7. Stage 1 – Informal resolution

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns will be raised with the staff member concerned in the first instance. This is usually the best and quickest way of resolving issues.

It is recommended that the complainant make an appointment to speak to the owner as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner. Where a meeting is not possible, a telephone or online conversation will be organised. It is important to recognise that provisions are busy organisations and it may not be possible to offer an appointment straight away. The purpose of this meeting is to establish the nature of the concern and to seek a realistic resolution to the problem.

A brief written record of the concern raised any actions agreed, and how the completion of actions is to be communicated with the complainant. This will be recorded via our weekly pupil reporting system.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response, unless there are exceptional circumstances, within 10 working days of the date of receipt of the complaint. If the issue remains unresolved, the next step is to make a formal complaint.

8. Stage 2 – Formal Procedure

Formal complaints must be made to the owner of Atypical Education, Emma Oxnam. This may be done in writing or using the Complaints Form (Appendix 1). Your letter should set out clearly the concern which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking. The owner will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days.

Moving to the formal complaints procedure is a serious step. In consideration of future home/provision relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

The owner will conduct an investigation and seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The owner can consider whether a face to face meeting is the most appropriate way of doing this. Note: The owner may delegate the investigation to the LADO for advice and guidance, but not the decision to be taken.

During the investigation, the investigator will: if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish keep a written record of any meetings/interviews in relation to their investigation. At the conclusion of their investigation, the investigator will provide a formal written response within 10 working days of the date of receipt of the complaint.

If the investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to resolve the complaint.

The Owner will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

9. Stage 3 – Formal Complaint

If you are not satisfied with the response of the Director then you must write a formal letter of complaint to the Inclusion service, parent school governing body or Suffolk CC directly. The Provision will provide you with the suitable name and you should write to him or her at the school address, marking the correspondence 'urgent, private and confidential'. The council contact should acknowledge receipt of the letter within 5 business days.

The Local Authority has no legal right or duty to deal with most complaints about Atypical Education but will provide advice to the parent/carer and governing body in the event that a complaint which has been considered under the formal procedure remains unresolved or if the complaint is specifically about the Owner.

The complainant will need to write to the local authority giving the details of their complaint, what action they have already taken to try and resolve their complaint and attaching a copy of

1. The written response from the provision.

Initial consideration will be given to the circumstances of the complaint and the procedure followed by the Provision. The Local Authority will come to a recommendation – either:

- that a thorough investigation has been fairly undertaken and that an appropriate response has been made in accordance with the findings; or
- that the complaint merits further investigation (it will be referred back to the provision in this case)

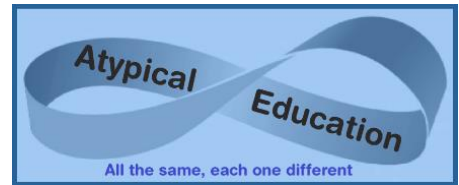
10. Complaint about the Owner

Where the complainant is unhappy about the decision the Owner, Emma Oxnam has made about the complaint, this does not become a complaint about the Owner. If the complainant feels that the complaint has not been resolved the complainant should move to Stage 2 of the procedure.

If the complainant has a concern or complaint that is specifically about the Owner and which has not been resolved at the Informal or Formal Procedural Stages, then the complainant must write a formal letter of complaint, as per Stage 3.

11. Record Keeping

All correspondence statements and records relating to individual complaints 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.



Appendix 1: Complaints Form

Your name:	
Pupil's name:	
Day time telephone number:	
Email address:	
Please give details of your complaint, including whether you have spoken to anybody about it. Are you attaching any paperwork? If so, please give details.	
What actions do you feel might resolve the problem at this stage?	
Signature:	
Date:	
Official use	
Date acknowledgement sent:	By who: