**Purpose**

Hopefields want all pupils and their families to be happy with the education and packages we offer and the policies and procedures we follow. Most queries or concerns can be resolved satisfactorily through discussion or by providing clarification or further information. However, when a more serious concern is raised, Hopefields has adopted a procedure that explains how to complain and what to expect in response.

This policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services. It is designed to ensure that the Hopefields’ complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

The purpose of this procedure is to ensure, for all parties, a fair and consistent approach to dealing with complaints.

**Scope**

The Complaints Procedure provides a supportive framework for dealing with all matters relating to the conduct and actions of members of the Hopefields community and the application of the Provision’s procedures as they affect individual learners.

The procedure may be used by a member of staff, parent, carer, local resident, or any person within the community who has a genuine interest in Hopefields. An anonymous complaint will not be investigated under the procedure unless there are exceptional circumstances.

All complaints will be investigated by an appropriate person (normally the Director) depending on the nature of the complaint.

As part of any investigation, all relevant parties will be given an opportunity to comment.

**Definitions**

For the purpose of this policy, a “complaint” can be defined as ‘an expression of dissatisfaction’ towards the actions taken or a perceived lack of action taken.

A “concern” can be defined as ‘an expression of worry or doubt’ where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.

Complaints can be resolved formally, through this procedure, or informally dependent on the complainant’s choice. Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.

A “grievance” is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school’s Grievance Policy.

For the purpose of this policy, “unreasonable complaints” include:

-Vexatious complaints, which:

-Are obsessive, persistent, harassing, prolific, repetitious.

-Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.

-Insist upon pursuing meritorious complaints in an unreasonable manner.

-Are designed to cause disruption or annoyance.

-Demand for redress which lacks any serious purpose or value.

Serial or persistent complaints, which:

-Are duplicated, sent by the same complainant once the initial complaint has been closed.

-Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

**Principles**

Comments, concerns or complaints should be raised as soon as possible. They will be dealt with:

* fairly, thoroughly and promptly
* safely - nobody will be victimised as a result of a complaint being made
* efficiently and helpfully.

Outcomes could include;

* an explanation or clarification an apology from either party;
* an assurance, where appropriate, that the same thing will not happen again,
* action to put matters right.

**Dealing with Complaints** – Initial concerns

Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

**Dealing with Complaints** – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. Schools might wish to nominate a member of staff to have responsibility for the operation and management of the school complaints procedure. They could be termed the school’s ‘complaints co-ordinator’. In smaller schools this may often be the head teacher.

**Timescales**

Complaints should be raised as soon as possible. Any complaint raised more than one month after the incident has occurred will not be considered, unless there are exceptional circumstances.

The designated timescales apply during term time and additional time will be required over school holiday periods.

Where the Directors are unable to comply with the timescales for reasons beyond their control (such as the complexity of the complaint or the availability of witnesses) they will inform the complainant, within seven calendar days of receipt of the complaint.

**Investigating Complaints**

It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:

• establish what has happened so far, and who has been involved;

• clarify the nature of the complaint and what remains unresolved;

• meet with the complainant or contact them (if unsure or further information is necessary);

• clarify what the complainant feels would put things right;

• interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;

• conduct the interview with an open mind and be prepared to persist in the questioning;

• keep notes of the interview.

**Resolving Complaints**

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following, an:

• apology;

• explanation;

• admission that the situation could have been handled differently or better;

• assurance that the event complained of will not recur;

• explanation of the steps that have been taken to ensure that it will not happen again;

• undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues

**Serial and Persistent Complaints**

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Director is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be regarded as serial or persistent and there will be no obligation on the part of Hopefields to respond.

The government guidance recommends that the school should be able to answer yes to the following questions before electing to cease correspondence on the matter:

• The school has taken every reasonable step to address the complainant’s needs;

• The complainant has been given a clear statement of the school’s position and their options (if any);

• They are contacting the school repeatedly but making substantially the same points each time. The case is stronger if the school agrees with one or more of these statements:

• The school has reason to believe the individual is contacting them with the intention of causing disruption of inconvenience.

• Their letters / emails / telephone calls are often or always abusive or aggressive.

• They make insulting personal comments about or threats towards staff. Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most

circumstances the subject matter is what you can refuse to respond to, not the correspondence. It is important to note however that, should a complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. It is not the complainant who is vexatious; it is the correspondence. If the decision to stop responding is taken, the complainant must be informed in writing.

**The Formal Complaints Procedure**

The Stages of Complaints:

Hopefields’ complaints procedure has well-defined stages. An unsatisfied complainant can always take a complaint to the next stage by requesting a review by the Secretary of State (from 1.8.12).

Recording Complaints:

Where possible Hopefields will record the progress of the complaint and the final outcome in writing.

**A complaint should be made in person, by telephone, or in writing and recorded on a complaint form.**

At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and Hopefields have the same understanding of what was discussed and agreed.

A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. No meetings should be recorded. If the complainant does still go ahead and records the meeting, the recording should not be considered as part of the investigation of the complaint. In most circumstances will act as the complaints co-ordinator and be responsible for the records, holding them centrally. If necessary, the proprietor will take on this responsibility.

**Roles and Responsibilities**

The complainant will:

• Cooperate with the school in seeking a solution to the complaint.

• Express the complaint and their concerns in full at the earliest possible opportunity.

• Should a formal complaint be made then this must be made in writing using the Christleton Primary School complaint form

• Promptly respond to any requests for information or meetings.

• Ask for assistance as needed.

• Treat any person(s) involved in the complaint with respect. The complaint investigator will:

• Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.

• Keep up-to-date records throughout the procedure – these records will be kept securely on the school’s ICT system and retained in line with the school’s Records Management Policy.

• Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk to governors and chair of governors.

• Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.

• Be aware of issues with regards to sharing third party information. The headteacher, or where the complaint is against the headteacher, the chair of governors, is responsible for:

• Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.

• Consider all records, evidence and relevant information provided.

• Interview all parties that are involved in the complaint, including staff and pupils.

• Analyse all information in a comprehensive and fair manner.

• Liaise with the complainant to clarify an appropriate resolution to the problem.

• Identify and recommend solutions and courses of actions to take.

• Be mindful of timescales and ensure all parties involved are aware of these timescales.

• Responding to the complainant in a clear and understandable manner.

The panel chair will:

• Ensure that minutes of the meetings are taken on every occasion.

• Explain the remit of the panel to the complainant.

• Ensure that all issues are addressed and that outcomes are reached based on facts and evidence. • Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.

• Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.

• Ensure that the room’s layout and setting is informal and non-adversarial, yet still sets the appropriate tone.

• Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.

• Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.

• Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.

• Organise a short adjournment of the hearing if required.

• Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.

• Help to provide the support necessary where the complainant is a child. All panel members will be aware that:

• The review panel meeting is independent and impartial.

• No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.

• The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved.

• Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.

The panel can:

Dismiss or uphold the complaint, in whole or in part.

Decide on appropriate action to be taken.

Recommend changes that the school can make to prevent reoccurrence of the problem.

Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.

When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child’s view is represented equally.

The panel clerk will:

• Continuously liaise with the complaint investigator.

• Record the proceedings.

• Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.

• Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing. The Parent can attend with another party if required.

• Greet all parties as they arrive at the hearing.

• Ensure that the minutes of the panel hearing are circulated.

• Notify the relevant parties of the panel’s decision and any other actions to be taken.

**Procedure**

Complaint relating to a member of staff, other than the Directors:

Many areas of concern can be dealt with quickly and harmoniously through discussion. Any concerns or complaints should be referred initially to the individual concerned and this may be by letter, by email, by telephone or in person by an appointment made at a mutually convenient time.

Every effort should be made by all involved to resolve the complaint and bring about a speedy resolution for all parties.

In the case of more serious concerns, it may be appropriate to discuss these with a senior member of staff or directly with the Directors, who will normally be able to resolve the matter and take any necessary actions to put matters right.

If the complaint is not resolved at the informal stage (detailed above) the complainant must write to the Director within fourteen calendar days of receiving the outcome of first complaint. The process is further detailed below.

**GUIDELINES** For a general complaint:

Step 1 If a parent is concerned about anything to do with the education or support that we are providing at Hopefields, they should, in the first instance, discuss the matter with their child’s class teacher; most matters of concern can be resolved positively in this way.

All teachers work very hard to ensure that each child is happy at Hopefields, and are making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child’s progress.

Step 2 Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Director. The Director will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3 Only when an informal complaint fails to be resolved by the Director should a formal complaint be made to the Proprietor. This complaint must be made in writing, stating the nature of

the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the Proprietor via the office or to admin@hopefieldseducation.co.uk

**For a complaint about the Headteacher/Directors:**

Step 1 If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher/Director, they should, in the first instance, discuss the matter with the other head teacher/other Director; most matters of concern can be resolved positively in this way.

Step 2 Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Proprietor. The Proprietor will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage. This must be considered within 21 days of receipt.

Step 3 Only when an informal complaint fails to be resolved by Hopefields staff should a formal complaint be made the proprietor in writing. This complaint must be made in full, in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome.

The Directors will nominate a clerk to co-ordinate the procedure and will appoint a complaints panel consisting of 3 independent members of the working party who are not employees of the provision. The nominated co-ordinator will chair the complaints panel.

The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail.

Hopefields will give the complainant at least five days’ notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.

The proprietor will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting.

The complainant is invited to write a report addressing the issue and must ensure that the complaints panel members and the proprietor receives a copy 2 days before the meeting.

Other written evidence will be not be accepted at the meeting, except in exceptional circumstances.

**Check list for a panel hearing**

The panel must take the following points into account:

• the hearing is as informal as possible;

• after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required);

• the panel members and head teacher (or Proprietor) may ask questions;

• the head teacher (or Proprietor) is then invited to explain the provision’s actions (with support of other Director, SENCo or other supporter if required);

• the panel members or complainant may ask questions;

• the complainant is then invited to sum up their complaint;

• the head teacher (or Proprietor) is then invited to sum up Hopefields’ actions and response to the complaint;

• the chair of the panel explains that both parties will hear from the panel within 3 working days;

• both parties leave the meeting while the panel decides on the issues.

When the panel has fully investigated the complaint, the chair of the panel, on behalf of Hopefields, will write to the complainant confirming the outcome of the complaint and any agreed action to be taken. The records of the complaints are kept confidentially in line with GDPR and made available to the secretary of state or a body conducting an investigation, detailing whether the resolution was formal and included a panel hearing.

The panel can:

• dismiss the complaint in whole or in part;

• uphold the complaint in whole or in part;

• decide on appropriate action to be taken to resolve the complaint;

• recommend changes to the school’s systems or procedures to ensure that problems of a similar nature do not recur. Investigating Complaints At each stage, the person investigating the complaint should make sure that they:

• establish what has happened so far, and who has been involved;

• clarify the nature of the complaint and what remains unresolved;

• meet with the complainant or contact them;

• clarify what the complainant feels would put things right;

• interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;

• conduct the interview with an open mind and be prepared to persist in the questioning;

• keep notes of the interview

**Resolving Complaints**

At each stage in the procedure we will look for a way in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part.

In addition, it may be appropriate to offer one or more of the following:

• an apology;

• an explanation;

• an admission that the situation could have been handled differently or better;

• an assurance that the event complained of will not recur;

• an explanation of the steps that have been taken to ensure that it will not happen again;

• an undertaking to review our policies in light of the complaint.

It should be noted that an admission that Hopefields could have handled the situation better is not the same as an admission of negligence.

**Unresolved complaints**

From 1 August 2012 complaints about schools not resolved by the school itself that would have been considered by the Local Government Ombudsman or the LA should be addressed to the Secretary of State for Education.

Further information can be obtained by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to: Department for Education School Complaints Unit 2 nd Floor, Piccadilliy Gate Store Street Manchester M1 2WD.

**Appendix A – changes/updates/amendments**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Change made** | **Action to complete** | **Staff name** |
| 11.11.23 | Review |  | AL |
|  |  |  |  |