



SOCIAL ARTS FOR EDUCATION

Complaints Policy and Procedure

November 2020

Number of complaints received August 2019 - September 2020 = 0
Number of complaints received September 2020 - Current = 0

Complaints Policy

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils 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
- 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.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Social Arts for Education about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

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. Social Arts for Education takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the head teacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

How to raise a concern or make a complaint

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 of a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the head teacher) should be made in the first instance, to Annabel Leaver, the head teacher, via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to LaReo Riviere (the Chair of Proprietorial Body), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the Proprietorial Body, any individual proprietor or the whole proprietorial body should be addressed to the clerk for the Proprietorial Body via the school office in the first instance, but will be dealt with by an independent person if this is more appropriate. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example 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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the head teacher or Chair of the Proprietorial Body, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this complaints procedure

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

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”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

Exceptions	Who to contact
· Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
· Statutory assessments of special educational needs or disability	Complaints about statutory assessments of SEND will be dealt with according to our SEND policy

<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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/MASH details can be found at the front of our Safeguarding policy.</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. Click here for the school behaviour policy</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our 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, we will inform you of a proposed new timescale.

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

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Resolving complaints

At each stage in the procedure, Social Arts for 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.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Complaints Manager

The clerk to the Proprietorial Body will act as Complaints Manager. Upon receipt of a formal complaint the Complaints Manager will:

- Within two working days, send to the complainant an acknowledgement letter and offer a copy of the complaints policy.
- Enter the details of the complaint on the Complaints data base.
- Refer the complaint to an appropriate manager who will be deemed the Investigating Officer.

When the complainant is not the service user, the Complaints Manager will ensure that where the concern raised relates to a service user, that they consent to any sharing of information or personal details.

Investigating Officer

The Investigating Officer is usually an experienced senior manager who has received training in the management of complaints. At SAFE school the investigation officer will generally be Annabel Leaver.

They may delegate all or part of the investigation to a suitably qualified and experienced colleague.

They retain overall responsibility for the quality and content of the investigation, and complaint response.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5. Stages of complaint (not complaints against the headteacher or proprietorial body)

Stage 1: Informal Complaint

First Step

It is to be hoped that most concerns or complaints can be expressed and resolved on an informal basis.

Anyone wishing to make a complaint should either write, email or talk to their child's appointed person or Head of the Centre about their complaint (Forms can be found in Appendix 2, and also separately on the S.A.F.E. website. The complaint will be dealt with in the following ways:

In writing/email to administration staff or head teacher: Staff at SAFE will reply to the complaint within **24 hours** of receiving the complaint. The response should include a means of clarification and/or rectification.

In person to administration staff or head teacher: Staff at SAFE should listen carefully to the person's complaint and try and make notes where possible. The staff member listening will either give a means for clarification and/or rectification there and then or come back to the person within **24 hours** with a suitable response.

Complainants should not approach individual proprietors to raise concerns or complaints. They have no power to act on an individual basis, and it may also prevent them from considering complaints at stage 3 of the procedure.

Second Step (if unsatisfied with result)

If the person making the complaint is not satisfied with the responses they have received within **24 hours**, they should ask for a meeting to be arranged to discuss the matter further. They can request that certain members of staff be present if they feel it would be beneficial to resolving the matter. At this stage SAFE will make sure:

A meeting is arranged at SAFE outside of teaching hours: A member of management should be present and should take notes. The person making the complaint should bring along anyone they feel would be beneficial to the meeting. This meeting should be arranged to be held no longer than **14 days** after the request is made (exceptions would be during holiday periods).

The Meeting

Parties address the matter of the complaint and that only: All parties present should make sure the meeting addresses the complaint to make sure clarification and rectification can be best dealt with in a minimal period of time.

After the Meeting

SAFE follows up with a response: A response from the head teacher or other management staff should be sent the person making the complaint within **24 hours**. The response should include clarification and/or rectification. Communication between the person making the complaint and SAFE should be kept up in order to prevent recurrence of matters (if applicable).

Stage 2: Formal Complaint

If the person making the complaint wants to complain formally at the first instance of grievance or is not satisfied with the outcome of an informal complaint, that person must make their complaint **formally** in **writing/email** to the **head teacher**, unless the complaint is about the head teacher, in which case they should address their complaint to the **chair of the proprietorial body**.

Complaints about the head teacher must be made to the Chair of the Proprietorial Body, via the school office.

If the complaint is:

- about the Chair or
- the entire proprietorial body or
- the majority of the proprietorial body

Stage 2 will be considered by an independent investigator appointed by the proprietorial body, and the complaint must be addressed to the clerk to the proprietorial body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

It is preferable for complaints to be sent on a School Complaints Form. SAFE will respond within **24 hours** and ask that the person that they:

Fill out a '1. School Complaint form' if they have not already done so: This will be given to the person making the complaint on request. The form can also be found online at www.lessons.safeschoolbexley.co.uk under 'Forms for Parents'.

Those unable to use the form will be able to submit complaints in a format they are able to access.

Wait one week for a response: This is to allow the head teacher time to investigate and to take the complaint to proprietorial body or appropriate management staff for an appropriate response within **7 days**. In the response, The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the head teacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Considers a/another meeting to resolve the issue, following the result of the investigation: A meeting should be arranged to be held no longer than **14 days** after the request is made (exceptions would be during holiday periods).

Within this initial response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

The Investigation

During the investigation, the head teacher (or 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 head teacher will provide a formal written response within **7 days** of the date of receipt of the complaint.

If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The Meeting

Parties address the matter of the complaint or the outcome of an informal complaint and that only: All parties present should make sure the meeting addresses such matters to make sure clarification and rectification can be best dealt with in a minimal period of time. At a formal complaint meeting, the **head teacher should always attend**.

After the Meeting

SAFE follows up with a response: A response from the **head teacher** should be sent to the person making the complaint within **24 hours** and where appropriate, the person/s being complained about. The response should include clarification and/or rectification. Communication between the person making the complaint and SAFE should be kept up in order to prevent recurrence of matters (if applicable) and the **head teacher** should reply with an appropriate response within **7 days**. All responses should be available for inspection by the proprietorial body and government bodies.

Stage 3: Formal Complaint to Review Panel

At this stage, if a person making a complaint is still not satisfied with the way their complaint has been dealt with or the outcomes, they can escalate the complaint to stage 3, and ask the proprietorial body to review the process in which their complaint has been processed. This is the final stage of the internal complaints procedure. A request to escalate to stage 3 must be made to the head teacher, via the school office, unless the complaint is about the head teacher, in which case it should be addressed to the chair of the proprietorial body. Complaints about the chair of the proprietorial body, an individual proprietor or the whole proprietorial body should be addressed to the Clerk to the Proprietorial Body.

Requests to escalate to stage 3 must be made within 7 days of receipt of the stage 2 response.

Requests received outside this time frame will only be considered in exceptional circumstances.

The date the request is received will be logged. SAFE will respond within **24 hours** to this request with an acknowledgement of receipt, and then ask that the person to:

Fill out a '2. School Complaint Review Request form': This will be given to the person making the complaint on request. The form can also be found online at www.lessons.safeschoolbexley.co.uk under 'Forms for Parents'.

Complaints will be accepted in other formats from those unable to use the form.

Send the School Complaint Review Request form to the chair of the proprietorial body: Mr LaReo Riviere at 20 Greenwood Close, Sidcup, Kent, Sidcup, Kent, DA15 9AD

Include a breakdown of events: Clearly listed from the matter of complaint to how it has been dealt with.

Include the clarification and or rectification that they desire: If the person making the complaint feels that this has not already been done. The proprietorial body will then reply to the

person making the complaint within **one calendar month**. This will ensure the board can meet in person to discuss the matter and means of resolving the issues at hand.

The Meeting

The head teacher will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within one calendar month of receipt of the Stage 3 request, to enable the Proprietorial Body to meet in person first. If this is not possible, the head teacher will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the head teacher will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- about the Chair or
- the entire proprietorial body
- the majority of the proprietorial body

Stage 3 will be heard by a committee of independent, co-opted governors.

Parties address the matter of the outcome of the formal complaint and that only: This time, with a member of the charity's proprietorial body present as well as head teacher or appropriate management staff. SAFE will ensure that the meeting makes a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least **3 people** who were not directly involved in the grievance, one of whom is independent of the management and running of the school. All parties present should make sure the meeting addresses the complaint to make sure clarification and rectification can be best dealt with in a minimal period of time.

A complainant may bring **anyone they feel would be beneficial** along to the panel meeting to provide support. This can be a relative or friend.

Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **7** school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

- request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

After the Meeting

SAFE follows up with a response:

A response from the **head teacher** should be sent to the person making the complaint within **24 hours** and where appropriate, the person/s being complained about. The response should include clarification and/or rectification. Communication between the person making the complaint and SAFE should be kept up in order to prevent recurrence of matters (if applicable)

The **Chair of the Panel and the proprietorial body** will provide the complainant and Social Arts for Education with a full explanation of their decision and the reason(s) for it, in writing, within **7 days of the panel meeting**.

All responses should be available for inspection by Government bodies.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) or the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled by Social Arts for Education.

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 Social Arts for Education will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

6. Complaints made against the headteacher or the proprietorial body

Where a complaint is against the chair of proprietorial body, any member of the proprietorial body, or the entire proprietorial body, it should be made aware, in writing in the first instance, addressed to the clerk to the Proprietorial Body.

7. Complaints made by a young person

At SAFE we feel that pupil voice is a crucial part of our community. We encourage our young people to follow the pupil complaint procedure that can be found in easily around the centre.

Appendix One: Pupil complaints procedure

8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the Department for Education (DfE), the complainant can refer their complaint to the DfE. The Department for Education (DfE) cannot investigate individual complaints about private schools, but it has certain powers as a regulator if the school is not meeting standards set by DfE for:

- education
- pupil welfare and health and safety
- school premises
- staff suitability
- making information available to parents
- spiritual, moral, social or cultural development of students

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.

DfE can ask the school inspectorates to take minor complaints into account when the school is next inspected.

You can complain to the DfE by filling in the [school complaints form](https://form.education.gov.uk/school-complaints-form). at form.education.gov.uk/

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

It should also be noted that, according to Part 7 of the Independent School Standards, if Ofsted decide that Social Arts for Education has not met the required standards because of the way a

particular complaint has been handled, the DfE has no power to make SAFE alter its decision on that complaint, only to take regulatory action designed to address the failure to meet the complaints standard so that future complaints are dealt with properly.

9. Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of proprietorial body (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

10. Unreasonably persistent complaints

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

11. Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond

- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(It will be decided with each complaint who would be the most appropriate person to do this job - this could be the head teacher, deputy head or office manager.)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, Chair of Governors or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Proprietorial Body

The clerk to the proprietorial body should act as the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Panel Chair

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the coordinator) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy

- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the complaints co-ordinator

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No proprietor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

12. Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole proprietorial body in case a review panel needs to be organised at a later point.

Where the proprietorial body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the proprietorial body, who will not unreasonably withhold consent.

13. Learning lessons

The proprietorial body will review any underlying issues raised by complaints with the head teacher 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.

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

14. Other Complaints

If a person has any other complaints or concerns that they feel should not go through the normal complaint procedure, they should contact the following people below:

Child protection_____	Local council
Criminal behaviour_____	Police
Data protection_____	Information Commissioner's Office
Discrimination_____	Equality Advisory and Support Service
Employment_____	An employment tribunal
Exam malpractice or maladministration_____	Ofqual
Quality of education or leadership	Ofsted

15. Monitoring arrangements

This policy will be reviewed **annually** by Annabel Leaver and the chair of proprietorial body . At every review, it will be approved and signed by all members.

Designated Person
Annabel Leaver

Signature

Deputy Designated Persons

Signature(s)

LaReo Riviere

Marion Leaver

Claire Leaver

Andrea Wigley

Jenny Johnson

'Named' trustee for Child Protection
LaReo Riviere

Signature

Chair of proprietorial body
LaReo Riviere

Signature

This policy will next be fully reviewed in February 2021 and amended prior to this if required.

Appendix One: Pupil Complaint Procedure

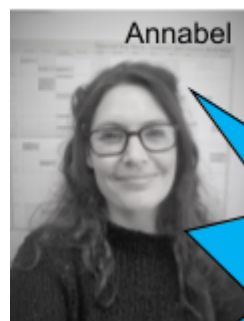
1. Making a complaint. If you are not happy about something please tell us. We want to listen to your complaints and sort out problems as quickly as possible.

2. What to do?

Tell a member of staff that you want to make a complaint, if you find this difficult you can tell a family member, advocate or a friend to help you. You could even contact outside agencies like child line.

Ways of making a complaint

1. By writing to whomever it maybe you want to complain to. Again you can find these addresses online or ask a member of staff.
2. Telling a member of staff and asking them to fill in a complaint form. This can be done with help from your staff if you require support.



Annabel or Ruth
will help you
make a
complaint



3. The review meeting

At your review meeting you can say what you are happy

4. What will happen if I make a complaint?

S.A.F.E. Complaint Form

Please complete this form and return it to the Head Teacher or Chair of the Proprietorial Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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:

By who:

Complaint referred to:

Action taken:

Date:

S.A.F.E. Complaint Review Request Form

Please complete this form and return it to Head Teacher [or Clerk to the proprietorial body], who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Daytime telephone number:

Evening telephone number:

Dear Sir

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed. My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response[s] from the school. I am dissatisfied with the way in which the procedure was carried out, because: You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

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

Signature:

Date:

Centre use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:

Date: