



## Complaints Policy

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## **Introduction**

Melrose Education and its subsidiaries believe that parents and other stakeholders are entitled to expect courtesy and prompt, careful attention to their individual needs and wishes. We hope that stakeholders are happy with the service provided and we encourage them to voice their appreciation to the staff concerned.

We welcome any suggestions from parents/carers and our professional partners on how we can improve our services and will give prompt and serious attention to any concerns they may have. Any concerns will be dealt with professionally and promptly to ensure that any issues arising from them are handled effectively and to ensure the welfare of all learners, enable ongoing cooperative partnership with parents and to continually improve the quality of our schools. **Information** will be displayed in our schools, informing stakeholders of how they can share compliments, concerns, and complaints.

We have a formal procedure for dealing with complaints where we are not able to resolve a concern. Where any concern or complaint relates to child protection, we follow our **Safeguarding and Child Protection Policy**.

Melrose Education and its subsidiaries pride itself on the quality of support, teaching and pastoral care provided to its young people. However, if parents/carers or our professional partners do have a complaint, they can expect it to be treated by the school with care and in accordance with this procedure.

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.

The school makes its complaints procedure and document available to all parents/carers of young people on roll at the admissions meeting and a copy is available upon request. The school will ensure that parents/carers of young people on roll and prospective young people who request it are made aware that this document is available and the form in which it is available.

## **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/carers of learners at the school.

It also refers to good practice guidance on setting up complaints procedures from the Department of Education (DfE).

## **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 action taken or a lack of action".

A complaint may be made about the school, about a specific department or about an individual member of staff.

### **Scope**

The school will try to resolve complaints informally where possible, at the earliest stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

This policy does not cover complaints procedures relating to:

- Admissions.
- Statutory assessments of special educational needs (SEN.)
- Safeguarding matters.
- Suspension or exclusion.
- Whistleblowing.
- Staff grievances.
- Staff discipline.

Please see our separate policies for procedures relating to these types of complaint. Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible: our aim is to complete the first two stages of the procedure within 28 working days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

An Appeal Panel Hearing will be completed within a further 28 working days, if the appeal is lodged during term-time, and as soon as practicable during holiday periods.

### **Recording Complaints**

Following resolution of a complaint, the school will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised.
- Name of parent/carer/guardian.
- Name of learner.
- Description of the issue.
- Records of all the investigations (if appropriate).
- Witness statements (if appropriate).
- Name of member of staff handling the issue at each stage.
- Copies of all correspondence on the issue (including emails and records of phone conversations).

Correspondence, statements, and records relating to individual complaints will be kept confidential except to the extent required by Ofsted. i.e., the school will provide Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken because of each complaint. The record of any such complaints will be kept for at least 3 years.

**Confidentiality** - all information in respect of complaints will be treated confidentially and only those who are required to enable a satisfactory resolution to be achieved will have access to it. It will be subject to our usual confidentiality policies and procedures and details will not be divulged to anyone other than those required for a satisfactory conclusion of the matter, without the permission of the person expressing the concern or complaint.

All personal data is held in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

***Investigations into complaints will be recorded on the Complaints Chronology Form.***

### **Special Circumstances**

Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference, or neglect may be referred without further notice to Children's Social Care and/or to the social services authority for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the school.

### **Stages of Complaint**

#### **Stage 1 - Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents/carers have a complaint, they should normally contact the class teacher/tutor or principal. In many cases, the matter will be resolved immediately to the satisfaction of the parents/carers. If the class teacher/tutor or principal cannot resolve the matter alone, it may be necessary for them to consult with the Regional Schools Director.
- Complaints made directly from a referring agency, will usually be referred to the principal.
- The principal will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 14 school days or, if the class teacher/tutor or principal and the parent/carer

fail to reach a satisfactory resolution, then parents/carers will be advised to proceed with their complaint in accordance with stage 2 of this procedure.

- If the complaint is against the principal, parents/carers should make their complaint directly to the Regional Schools Director.

### **Stage 2 - Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parents/carers should put their complaint in writing to the Compliance Manager who will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Compliance Manager will meet/speak to the parents/carers concerned, normally within 14 school days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the principal to carry out further investigations.
- The Compliance Manager will keep written records of all meetings and interviews held in relation to the complaint.
- The importance of understanding concerns in the context of history, timelines and other known information cannot be underestimated. Chronologies are central to this process and must be completed on an ongoing basis as the case progresses using the **Complaints Chronology Record**, which must be stored securely with other relevant documentation. The Complaints Chronology Record should include any information given to the complainant including a dated response.
- Once the Compliance Manager is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing. The Compliance Manager will also give reasons for the decision.
- The Compliance Manager will complete a final report using the Investigation Outcome Report and Guidance template.
- If the complaint is against the principal, the Regional Schools Director will take responsibility. The Regional Schools Director may speak to members of staff and speak to or meet with the parents/carers to discuss the matter further. Once the Regional Schools Director is satisfied that, so far as is practicable, all the relevant facts have been established, the parents/carers will be informed of the decision in writing. The Regional Schools Director will give reasons for the decision.
- If parents/carers are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3 - Panel Hearing**

- If parents/carers seek to invoke Stage 3 (following a failure to reach an earlier resolution), a complaints panel will be appointed, supported by the Regional School Director.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The complaint will be acknowledged, and a hearing scheduled to take place as soon as practicable and normally within 14 school days (during term time).
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies

of such particulars shall be supplied to all parties normally not later than 3 school days prior to the hearing.

- The parents/carers may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. If possible, the Panel will resolve the complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts, they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 14 days of the Hearing. The Panel will write to the parents/carers informing them of its decision and the reasons for it.
- The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents/carers, the principal, the Regional Schools Director and, where relevant, the person who is the subject of the complaint.
- Parents/carers can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements, and records will be kept confidential except in so far as is required of the school by paragraph 7 of the Education (Independent Schools Standards) Regulations 2014, where disclosure is required during the school's inspection or where any other legal obligation prevails.

### **Learning Lessons**

An appointed person from the Board of Directors will review any underlying issues raised by complaints with the principal, 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 event in the future. Learning points will be shared with all principals to ensure all schools are aware of any issues arising.

### **Monitoring Arrangements**

The CEO or an appointed person will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will review the number and nature of complaints and review underlying issues on a termly basis.