

## Policies and Guidance - Complaints

<b>Policy Title:</b>	<b>Complaints</b>
<b>Why we write policies:</b>	<i>The Thriving Small Business</i> wrote <i>7 Reasons to Writing Business Policies and Procedures</i> , identifying these as, <i>Articulation of Required Steps, Performance Measures, Process Consistency, Serve as a Training Tool, Incorporates Worker Experience, Training Refresher, Foundation for Process Improvement</i> . Whilst we agree with the points they identify, we also see them as so much more. Our policies are the reflection of who we are as an organisation, what we are collectively striving for and how we aim to achieve those goals. None of our policies are written in isolation and should be read in conjunction with one another. If you see any areas where our policies could better represent who we are, or could be developed to support achieving our objectives please let us know.
<b>Why we wrote this one:</b>	Everyone should have a voice and the right to be heard. As a school we pride ourselves on our transparency and honesty, we encourage feedback to improve our services. Our complaints policy provides guidance on how to formalise any concerns or reporting a Safeguarding concern associated with school staff.
<b>Who wrote this? :</b>	Julian Roberts, Director
<b>Who reviewed this? :</b>	Every policy is reviewed by the Senior Leadership Team and a professional from the advisory group.
<b>How do we know this stuff? :</b>	<a href="https://thethrivingsmallbusiness.com/7-advantages-to-writing-business-policies-and-procedures/">https://thethrivingsmallbusiness.com/7-advantages-to-writing-business-policies-and-procedures/</a> ,Children and Families Act 2014, SEND Code of Practice 2015, West Heath School, Five Acre Wood School, Heath Farm School, Rowhill School, KELSI, Tonbridge Grammar School.
<b>When did we write this? :</b>	October 2019 Version 3
<b>When are we checking it? :</b>	August 2020
<b>Where else can I read this? :</b>	theviewschool.org, The school office
<b>Our approach:</b>	The View School aims to provide continuous opportunities for communication between all stakeholders in a young person's education. Tutors or key workers will endeavor to contact parents / carer once per week. This is an excellent opportunity to discuss any element of a child's provision, including any concerns, complaints or issues arising. If a matter is more

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pressing, school staff can be reached by e-mail or by phone both during term time and school holiday periods.

Any concerns regarding providing provision identified within Section F of a young person's Education Health and Care plan will be investigated formally no matter how concerns are raised. This is to ensure that the school is providing the support to which the young person is legally entitled. This information will be shared with the local authority whom hold the overall responsibility for the education for the young person.

Where a more formal representation is needed, we have provided a complaints form (appendix 2) to aid in resolving any issues, and have identified a clear process to provide guidance on the actions we take to ensure a quick, full and fair response.

### **Making a complaint:**

We aim for all concerns to be resolved before the point of a formal complaint. If however you feel that a matter has not been dealt with in the appropriate manner, then a formal representation can be made through the complaints process.

Complaints should be made in writing, preferably using our complaints form (appendix 2), and sent to the school either by e-mail or post. We do appreciate that this may provide challenges for some people, and if preferred a complaint can be made in person. We will record the detail and confirm this with you prior to starting our investigation process.

### **Who reviews a complaint:**

Complaints are reviewed by the Headteacher. Once a complaint is received you will be contacted to confirm receipt and to discuss any immediate actions that may need to be taken. The Headteacher will then review the complaint accordingly.

### **How long does this take?:**

All complaints will be dealt with in a timely fashion. The school will follow reasonable timescales in gathering evidence and confirming a response. We understand the anxieties and concerns that underline any complaint, and therefore ensure the complainant is kept as up to date as possible with developments and actions. We are happy for you to contact us during the process of reviewing a complaint.

### **Complaints about the Head:**

Complaints about the headteacher should be addressed to the Proprietor. The Proprietor will follow the complaints process as

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detailed.

- Resolution:** We hope that all complaints are resolved, with all involved agreeing on actions and the steps to ensure positive outcomes. In the unlikely event of an agreement not being reached, complaints can be escalated to the Proprietor.
- Who records the information:** We keep a record of all complaints and actions taken. We review all complaints in conjunction with our practices, as it helps us develop and provide ever improving provision and services.
- What can I expect:**
- The Head Teacher will confirm receipt of your complaint within two working days.
- Investigations should be completed within 10 working days of the complaint.
- The head Teacher will provide an outcome to the complaint within 5 working days of the investigation being completed.
- The Head Teacher will discuss the outcome with you and provide the opportunity for feedback and possible development to actions being taken.
- If your complaint relates to the School not meeting need under Section F of an Education Health and Care Plan; the relevant department of your Local Authority will be contacted and informed of the investigation and outcomes.
- What if I'm still not happy?:** If you are not happy with the outcome of a complaint you have the opportunity to refer this to the Proprietor of the View School. The Proprietor will review the original complaint, the investigation, identified outcomes and contact you to discuss the next steps in achieving resolution. This may result in an independent panel hearing.
- The panel:** will consist of at least three people where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;  
allows for a parent to attend and be accompanied at a panel hearing if they wish;  
provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

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provided to the complainant and, where relevant, the person complained about; and  
available for inspection on the school premises by the proprietor and the head teacher;  
provides for a written record to be kept of all complaints that are made  
whether they are resolved following a formal procedure, or proceed to a panel hearing; and  
action taken by the school as a result of those complaints (regardless of whether they are upheld); and  
provides that correspondence, statements and records relating to individual complaints are to 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.

Where relevant, the Proprietor will inform your child's Local Authority caseworker of developments and outcomes.

If you are still not happy you can also contact your Local Authority or Ofsted or The Secretary of State for Education.

### Safeguarding - allegations against Staff

This part of the guidance is about managing cases of allegations that might indicate a person who would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school that provides education for children under 18 years of age has:

Behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child, or; Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

We are aware of the possibility of allegations being made against members of staff or volunteers that are working with or may come into contact with children and young people at the View School. Such allegations are usually that some kind of abuse has taken place. They can be made by children and young people or other concerned adults.

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If an allegation is made, the member of staff receiving the allegation will immediately inform the Headteacher.

The Designated Safeguarding Lead (DSL) or Headteacher should on all such occasions follow the LSCB Procedures, and inform the Local Authority Designated Officer (LADO).

If the allegation made concerns the Headteacher, the person receiving the allegation will contact the LADO.

The DSL or Headteacher will discuss with the LADO the nature of the allegations in order for appropriate action to be taken. This may constitute an initial evaluation meeting or strategy discussion depending on the allegation being made.

The Principal/Headteacher and lead DSL will also:

Consider the safeguarding arrangements of the child or young person to ensure they are not in contact with the alleged abuser;

Contact the parents or carers of the child/young person if advised to do so by the LADO;

Consider the rights of the staff member for a fair and equal process of investigation and provide support;

Ensure that the appropriate disciplinary procedure is followed, including whether suspending a member of staff from work until the outcome of any investigation is deemed necessary i.e. where there is cause to suspect a child or other children at the school is/are at risk of harm or the case is so serious that it might be grounds for dismissal;

Act on any decision made in any Section 47 strategy meeting - The decision of the strategy/Joint evaluation meeting could be: investigation by children's social care, police investigation if there is a criminal element to the allegation, single agency investigation completed by the school which should involve the Senior HR advisor for the School;

Inform the Disclosure and Barring Service (DBS) where a member of staff has been disciplined or dismissed as a result of

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the allegations founded, or would have been if they have resigned;

Ensure that a clear comprehensive summary of the allegation, details of the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personal file of the accused and a copy provided to the person concerned;

The School have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult; where the harm test is satisfied in respect of that individual; where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that individual has committed a listed relevant offence; and that individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation or removal of the individual.

### **We are always learning:**

Our policies are ever evolving and are reviewed and developed accordingly. If you have any suggestions, complaints or complements please let us know.

### **Appendix:**

Appendices relating to this document:

Appendix 2 School Complaints form

Appendices can be found online [theviewschool.org](http://theviewschool.org) and in the school office