

## COMPLAINTS POLICY

This policy should be read in conjunction with the equivalent Surecare Residential policy

Created	September 2013
Last review	July 2017
This review Date	July 2018
Date approved by Governors	August 2018

**At the heart of all our policies at White Trees Independent School  
are the following principles:**

1. Everyone in our school can learn and achieve.
2. Everyone in our school has the potential to be successful
3. We build quality relationships with one another and everyone we work with
4. The success of our school is based on high expectations, mutual trust and respect, caring for each other and taking responsibility.
5. Our vision is to provide our students with the confidence, skills, and ambition to take the next steps towards a successful and productive life so they can contribute positively in society.

## Introduction

At White Trees Independent School we believe and encourage openness and transparency and encourage our pupils, parents/carers, staff and local authority clients to comment on any aspect of our service.

## Concern or Complaint?

If a concern is raised and not dealt with, it becomes a complaint. Concerns and routine queries should be raised with class teachers and staff generally. These concerns could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or indeed other issues.

The school welcomes enquiries about any matter and we will explain the school practices, policies, and how they affect the students. The vast majority of concerns will be handled by the class teacher and if in doubt, keep asking until you are completely satisfied as we are eager to help.

The usual format is to speak to the student's class teacher in the first instance, or to contact the school office to arrange an appointment to discuss your concern with whoever you wish. At all times the staff will help to resolve a problem. If occasionally you feel that you must state your concern formally, this too is not a problem.

## White Trees Independent School complaints procedures

The majority of concerns are handled under the following nationally accepted stages:

**Stage 1** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage 2** is the first formal stage where written complaints are considered by the Headteacher who has responsibility for dealing with complaints.

**Stage 3** is the next step once Stage 2 is complete. It involves a complaints review panel of governors. Such a panel may be offered at the discretion of the Chair of Governors.

How each of these stages operate are explained on the next page

## White Trees Independent School complaints procedures:

### **Stage 1 – Your initial contact with the school**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be the student's Learning mentor or
2. We will see you, or contact you by telephone, as soon as possible after your concern is made known to us.
3. We will ensure that you are clear of what action or monitoring of the situation, if any, has been agreed.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within 3 working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

### **Stage 2 - Formal consideration of your complaint**

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors"
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The Headteacher, or Chair of Governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the Headteacher or Chair of Governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that they would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The Headteacher or Chair of Governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the Headteacher's or Chair of Governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see following page for further information about this process.
13. If we do not close the complaint after Stage 2, you may wish to proceed to Stage 3, as described below.

### **Stage 3 - Consideration by a complaints review panel**

- If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we may agree to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level. The Chair of Governors has discretion to agree to this form of meeting if they feel it would be helpful in resolving the complaint.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent/carer. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within **20 working days**.
2. The clerk will ask you whether you wish to provide any **further written documentation** in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Headteacher will be asked to prepare a **written report** for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.

5. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit **further written evidence** to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that **you are entitled to be accompanied** to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Headteacher may invite **members of staff** directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to **put you at your ease**.
9. As a general rule, no evidence or witnesses **previously undisclosed** should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
  - you to explain your complaint;
  - you to hear the school's response from the Headteacher;
  - you to question the Headteacher about the complaint;
  - you to be questioned by the Headteacher about the complaint;
  - the panel members to be able to question you and the Headteacher;
  - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
  - you and the Headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself **within two weeks**. All participants other than the panel and the clerk will then leave
14. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a unanimous, or at least a majority, decision on the complaint;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

15. The clerk will send you and the Headteacher a written statement outlining the decision of the panel within two weeks. The letter will explain what further recourse, beyond the governing body, is available to you.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from the student's personal records

### **Closure of complaints**

- Very occasionally, a school will feel that it needs, regrettably, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school – to the Headteacher, designated governor, chair of governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the students in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.
- In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be confident that it is likely to assist the process of investigating the complaint.
- The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

### **Student Access to Complaints**

Students attending White Trees Independent School have the right to complain if they are worried or unhappy with the quality of service or any form of treatment by staff or another student. All students are given a welcome pack informing them of this right and the complaint procedure.

Students will be informed of their rights and of channels to complain without staff knowledge if they wish.

Staff have a duty to empower students to use their right to complain and we will ensure that students can feel confident enough to bring their complaints to the attention of member of staff. A specific student complaints form is readily available and they are encouraged assisted if needs be to complete it. As a student body there are weekly opportunities to raise concerns as part of the school council. These concerns are minuted and fed back to the Head teacher, Inclusion Leader and Learning Leader and actioned in a timely fashion for the following week's meeting

**Any student who discloses abuse by any adult or another student must be treated with sensitivity. Child Protection procedures must be activated without delay.**

The key principles of the policy - Legal context From September 2003, under Section 29 of the Education Act 2002, it is stated that schools must have in place a procedure to deal with complaints.

Web link: <http://www.legislation.hmso.gov.uk/acts/acts2002/20032>

The School Standards and Framework Act 1998 provides an additional function to establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere.

Web link: <http://www.opsi.gov.uk/ACTS/acts1998/1998031.htm>

The Independent School Standard - In accordance with paragraph 32(1) (b) of Schedule 1 to the Education (Independent School Standards) Regulations (2014),