



Complaints Policy

Policy Ratified on	18 September 2018
Policy Review Date	December 2020
Policy Lead	Headteacher of Three Ways School

COMPLAINTS POLICY

Introduction

Three Ways Brighter Futures aims to work in partnership with all service users (including school staff, other professionals, parents/carers, children and young people in the best interests of the children and young people we support. Any complaint will be given careful consideration and will be dealt with fairly and honestly.

We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Actions before making any complaint

This complaints procedure is not intended to replace the normal informal discussions that take place between parents/carers, staff and Brighter Futures staff about problems and concerns as they arise. Most issues can and should be resolved through this dialogue. These concerns might include such matters as a child's work or progress, relations with staff, relations with other pupils including bullying, or a child's personal welfare.

The first point of contact regarding concerns should always be with Brighter Futures practitioner who is working with the child or staff member.

When meeting with the practitioner to raise your concerns please be patient, they may need time to perform an investigation or put corrective measures in place and then determine their effectiveness. This informal stage may require several discussions to reach a conclusion satisfactory to all parties.

If you feel that a concern has not been resolved through discussions with the practitioner or that it is of a sufficiently serious nature, then an appointment to discuss it with the Director of Brighter Futures should be made. You should indicate that the appointment is regarding a complaint.

Referral of complaints

Formal complaints received in writing will fall within the remit of the Headteacher of Three Ways School or Governors to consider. However, there are some categories of complaint which the Local Authority has responsibility for, and not the Governing Body:

- Exclusion of pupils from school
- Child protection related issues or allegations of child abuse

In any of these categories, your complaint must be sent directly to the Local Authority. A list of contacts is given at the end of this policy (*Annex 2*).

General principles regarding any complaint

The following principles will apply to any complaint:

- The complaint will be handled with care and sensitivity.
- Confidentiality will be respected at all times
- Responses to any complaint will be prompt (timescale guidelines are detailed below)
- We will remain in communication with you during the investigation and you will be kept informed of timescales
- The handling of the complaint will be thorough and fair and address all the points at issue

It is important that the steps are followed in the complaints procedure.

Timescale Guidelines

We would normally expect complaints to be made as soon as possible after an incident arises and not normally later than three months.

Where it is not possible to respond to a complaint within the expected guidelines you will be informed in writing of the reason for the delay and given an anticipated response date.

Stage 1 (Informal) – Brighter Futures Practitioner

Your concerns/complaint should be directed to the practitioner unless they or the Director are the subject of your complaint. ***Consideration of the issues should normally take two weeks.***

Stage 2 (Formal)

If your complaint has not been solved through informal discussion, or is considered to be of a sufficiently serious nature, then it will be investigated through the formal stage of the policy i.e. Stage 2. This will either involve:

- (a) Investigation by the Headteacher of Three Ways School (where the Headteacher is not part of or subject of the complaint). The Headteacher may delegate the investigation to another member of staff but not the decision on the action being taken. **Or**
- (b) Investigation by Governors (where the Headteacher is part of or subject of the complaint) i.e. Where the complaint involves the Head then the complaint can be referred to the Chair of Governors who will make the decision whether it should be investigated by two governors at this stage. Where the complaint is about the Chair of Governors then you should submit your complaint to the Clerk to the Governors.

You should set out your complaint in writing explaining:

- a) The precise nature of the complaint; and
- b) What you consider should be done to resolve the matter.

A form for submitting your complaint is attached to this Policy as *Annex 1*. When we receive your complaint a letter of acknowledgement will be sent to you within 5 school days. We will arrange to meet with you to explore your complaint and what can be done to resolve your issues. You can be accompanied by a friend at this meeting. Notes will be taken of our discussion and you will receive a copy of these. Care will be taken in identifying an appropriate clerk. This will normally be the Clerk to the Governors, however it may be appropriate for a member of staff such as the school secretary to act in this capacity.

If you require any specific assistance in putting your complaint in writing or when asked to attend any meeting then please inform us so appropriate support can be put in place.

If we are unable to resolve your complaint at an initial meeting with you then the Headteacher may carry out an investigation of your complaint.

Please note that it may be necessary to suspend the complaints procedure in respect of a complaint which indicates that there may be a need for a disciplinary investigation in respect of a member of staff or that child protection procedures need to be followed. Advice from the Local Authority will be sought. In such circumstances you will be notified that the complaints procedure has been suspended and the likely timescale for its reactivation.

On completion of this Stage 2 investigation, when all relevant persons have been given the opportunity to give their response, we will send you a formal written outcome.

Consideration and investigation of a complaint at stage 2 should normally take four to six weeks.

Stage 3 (Formal) – Appeal to Governors

You should write to the Chair of Governors if you consider your complaint remains unresolved through the earlier stages. You should do so, stating the grounds for your appeal, within 10 school days of receiving the outcome of the investigation at Stage 2.

When a formal complaint is received by the Chair of Governors, a letter of acknowledgement will be sent to you within 5 school days to confirm the appeal process.

Two or three Governors will be identified to consider your appeal and make a decision about it on behalf of the Governing Body. The Governors appointed will have had no previous involvement in the complaint or will have no conflict of interest.

The primary purpose of the appeal is to understand your continuing concerns and to consider the investigative process carried out at Stage 2 of this policy. Consideration will be given to the rigour and fairness of the process i.e.:

- Were you given the time and opportunity to clarify your complaint and explain the outcome you were looking for?
- Was the complaints policy applied appropriately in relation to your specific complaint?
- Did relevant interviews take place of those individuals involved in events to ensure a thorough understanding of all relevant issues?
- Was there a review of relevant school procedures and correspondence?
- Are conclusions and recommendations reasonable and do they flow from the evidence or facts arising from the investigation?

The Governors will be determining one of the following outcomes:

1. Confirmation of the conclusions at Stage 2 on the basis of evidence indicating a full and fair investigation and outcome.
2. Identification of some procedural anomalies but confirmation that the overall conclusion was sound.
3. Identification of significant flaws in the investigation process which might lead to alternative conclusions and proposed remedies.

The appeal process is not a hearing where all parties are present. This process is normally a review by the nominated Governors of the written evidence from the previous stages. There will only be a reinvestigation when the Governors consider there are major flaws in the previous process necessitating this action.

The decision reached by the Governors will be notified in writing to you and other relevant parties. *The timescale for the appeal process is normally two to three weeks from receipt of the appeal.*

Stage 4 Appeal to The Secretary Of State

If you have followed our complaints policy but still consider your complaint has not been appropriately resolved then you are able to take your complaint to the Secretary of State for Education.

Any appeal to the Secretary of State for Education should be addressed to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

The SCU will not consider an appeal unless the complaint has exhausted the local procedures. SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of the School.

If legislative or policy breaches are found, SCU will report them to us and to you and, where necessary, require remedial action to be taken.

Monitoring and review

The Governing Body will review this complaints policy on a regular basis. Three Ways Brighter Futures will log all formal complaints received and will record how they were resolved. Governors will examine the complaints log on a regular basis and will consider the need for any changes to the complaints policy or other school procedures.

Resolution

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

Evidence

If you are attaching any supporting paperwork, please give details:

Signature	
Date	

For Official Use Only:

Date complaint form received	
Date Acknowledgement sent	
By who	
Complaint referred to	

Contact Details for complaints for which the Local Authority People and Communities Service has responsibility

Please note the addresses provided below are for postal purposes only. The Services themselves are located in the Civic Centre, Market Walk, Keynsham Bristol, BS31 1FS

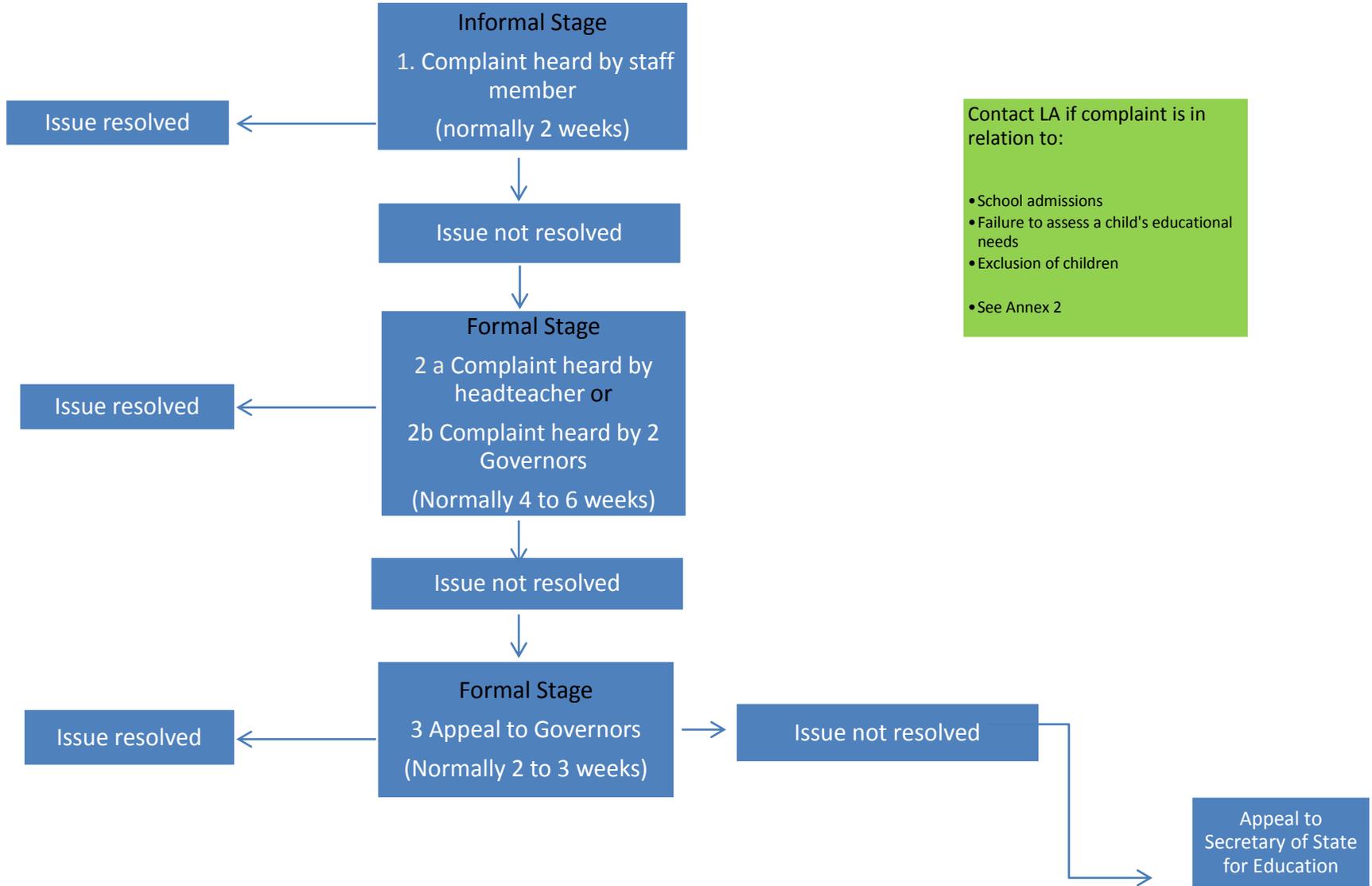
Exclusion of pupils from the school

Officer in Charge, Children Missing Education*
Children Missing Education Team Exclusion
People and Communities Department
Bath & North East Somerset Council,
Lewis House, Manvers Street
BATH, BA1 1JG
Tel. 01225 394241
exclusions@bathnes.gov.uk

Child protection related issues or allegations of child abuse

Head of Safeguarding Assurance and Quality
Strategy and Commissioning*
People and Communities Department
Bath & North East Somerset Council,
Lewis House, Manvers Street
BATH, BA1 1JG
Tel 01225 396974

COMPLAINTS PROCEDURE FLOW CHART



Annex 3

Contact LA if complaint is in relation to:

- School admissions
- Failure to assess a child's educational needs
- Exclusion of children
- See Annex 2