

Reflections Small School - Complaints Procedure

Date: 7.2.17

Review Date: 1.9.17

School Complaints Procedure

This document details the complaints procedure both informal and formal for parents and pupils at Reflections Small School. [It does not cover any grievance by a member of staff which is not in the scope of this document.] This document is made available to parents of all children attending Reflections Small School.

Please note that Reflections' approach to dealing with complaints or concerns is that we see them as an *opportunity*. An opportunity to hear concerns which we might not have otherwise heard and an opportunity to put things right quickly and efficiently in order to restore faith in our operation.

Stage 1 [Informal] – Complaint heard by staff member

- 1.1 In the first instance the complainant should find a quiet place or make an appointment to discuss their concerns with the appropriate member of staff.
- 1.2 The complainant may choose to bring a companion with them to any proposed meeting.
- 1.3 As good practice, a written record will be made of the meeting. All parties will have access to the record.
- 1.4 The person facilitating the meeting will ensure all parties are clear about any actions that have been agreed as a result.
- 1.5 This stage will be dealt with within 3 school days or as speedily as possible and concluded in writing as appropriate.
- 1.6 If no satisfactory resolution is reached the complainant can refer the complaint to the Small School Manager (if the Small School Manager was not the member of staff the concern was initially discussed with at point 1.1).
- 1.7 If the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complaint to another member of staff. The member of staff may be more senior but this is not a requirement. The ability to consider the complaint objectively and impartially is crucial.
- 1.8 Where the first approach is made to the one of the Directors, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It is recognised that it may be useful if a Director did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case the/she is needed to sit on a panel at a later stage of the procedure.

Stage 2 [Formal] – Complaint heard by Small School Manager

- 2.1 Once the complaint has been referred, the Small School Manager will gain clarity over the complaint and gain any supplementary information which may lead to resolution at this stage.
- 2.2 The Small School Manager should meet with the complainant and/or subject of the complaint, if appropriate.
- 2.3 The Small School Manager should meet, as appropriate, with any witnesses and take statements from those involved.
- 2.4 Notes will be kept of all meetings, conversations and of the receipt of any documentation.
- 2.5 After establishing all the relevant facts, a written response will be recorded and sent to the complainant. The Small School Manager may meet with the complainant to discuss their findings as he/she decides is appropriate.
- 2.6 The written record and response will include a full explanation of the decision reached and the reasons for this. If any action is to be taken at the school, this will also be identified.
- 2.7 The Stage 2 processes will take place within a reasonable time, and usual practice is that this may take up to 10 school days, however, every complaint is different and this may not always be possible. The Small School Manager will keep the complainant informed in writing of the on-going time scale.
- 2.8 If the complainant is not satisfied with the outcome of the Stage 2 investigation, or the complaint is about the Small School Manager, the complainant should write to one of the Directors to request that their complaint is considered further.

Stage 3 [Formal] - Complaint heard by one of the Directors

- 3.1 If the complainant is not satisfied with the response of the Small School Manager or the complaint is about the Small School Manager, the complainant should write to one of the Directors to request that their complaint is considered at Stage 3.
- 3.2 Once the complaint has been received, one of the Directors will gain clarity over the complaint and gain any supplementary information which may lead to resolution at this stage.
- 3.3 One of the Directors should meet with the complainant and/or subject of the complaint, if appropriate.
- 3.4 One of the Directors should meet, as appropriate, with any witnesses and take statements from those involved.
- 3.5 Notes will be kept of all meetings, conversations and of the receipt of any documentation.
- 3.6 After establishing all the relevant facts, a written response will be recorded and sent to the complainant. One of the Directors may meet with the complainant to discuss their findings as he/she decides is appropriate.
- 3.7 The written record and response will include a full explanation of the decision reached and the reasons for this.
- 3.8 The Stage 3 processes will take place within a reasonable time, and usual practice is that this may take up to 10 school days, however, every complaint is different and this may not always be possible. One of the Directors will keep the complainant informed in writing of the on-going time scale.
- 3.9 If the complainant is not satisfied with the outcome of the Stage 3 investigation the complainant should write to another Director marked 'Private and Confidential' to request that their complaint is considered by a Complaints Appeal Panel.

Stage 4 [Formal] – Complaint heard by Complaints Appeal Panel [which will include someone independent of the management and running of the Small School]

4.1 The complainant should write to the other Director marked 'Private and Confidential' giving full details of the complaint and requesting the Complaints Appeal Panel consider the matter. The Director should acknowledge receipt within five school days.

4.2 The other Director will convene a Complaints Appeal Panel.

4.3 In line with good practice a Clerk will be appointed to the Complaints Appeal Panel at the start of Stage 4 to support the process and be the point of contact for the complainant. It would be good practice to notify the Small School Manager of the complaint at this stage if they have not previously been involved in the process.

4.4 The Clerk to the Complaints Appeal Panel will:

- Set a convenient date, time and venue for the complaint to be heard;
- Deal with all administration of the procedure;
- Take notes at any meetings;
- Be a single point of contact to facilitate communication between all parties;
- Draft and despatch letters as required;

4.5 The Complaints Appeal Panel must be established by drawing on a Director with no prior or direct involvement with the complaint.

4.6 The Small School Manager must not serve on the Complaints Appeal Panel. One of the Directors must not serve on the Complaints Appeal Panel if s/he has had any prior involvement with the complaint.

4.7 The Complaints Appeal Panel will be provided with any collated written material, reports, and relevant information and will consider the complaint on the basis of the written evidence available. The Complaints Appeal Panel may decide to request further clarification from the complainant and Small School Manager before writing and notifying them of the arrangements for the formal panel meeting. Any additional information received by the Complaints Appeal Panel must be shared with all parties prior to the meeting.

4.8 The Complaints Appeal Panel will decide whether to look solely at written evidence in the formal panel meeting or whether all relevant parties will be invited to attend. There is no right of appeal against the Panel's decision.

4.9 If the decision is made to invite relevant parties to the Panel's meeting, the Panel members will decide how the meeting will be conducted and who is present. The panel should decide whether to meet each party individually or invite all to attend at the same time.

4.10 The Clerk will write to all relevant parties informing them of the date and time of the meeting, whether the Panel will consider written evidence only or will be inviting them to attend and give an outline of how the meeting will be conducted. The Clerk must include a copy of all relevant documents, policies or procedures that will be considered by the Panel at the meeting. Notification of the Panel meeting must be sent not less than five school days before the meeting. All parties should acknowledge receipt of the meeting notification and all related documentation itemised in the accompanying letter.

4.11 Within reason, the Clerk will arrange a date and time for the Panel meeting that is convenient to the complainant and other relevant parties if they are attending in person.

4.12 The complainant has a right to be accompanied to the meeting by a friend/representative.

The friend/representative may:

- Confer with the complainant during the meeting

- Ask questions of witnesses
- Sum up the complainant's complaint if requested by them.

The friend or representative may not:

- Answer questions on the complainant's behalf;
- Address the Panel if the complainant does not wish it
- Prevent the complainant from summarising the complaint.

4.13 Good practice requires all written evidence to be submitted prior to the meeting wherever possible so that it can be considered by all parties.

4.14 If necessary, the Panel meeting will be adjourned if there is insufficient time to consider extra evidence received at the start of the meeting to enable it to be circulated and considered by all parties.

4.15 The Panel may wish to call witnesses to the meeting.

4.16 The complainant, and other parties previously involved in the complaint, if invited, can expect the following process to be followed:

- The hearing will proceed in an informal, but appropriate manner
- Witnesses shall be present only for the part of the hearing relevant to their involvement and may not remain for the entire hearing (at the discretion of the Chair of the Panel);
- Introductions shall be made by all parties present
- The complainant will be invited to explain the complaint;
- The Small School Manager will be invited to explain the reasons for decisions reached up to this point
- If all parties are in attendance together, the complainant may then question the Small School Manager;
- If all parties are in attendance together, the Small School Manager may then question the complainant;
- The Panel may ask questions of any party at any time;
- Witnesses, subject to prior approval by the chair of the complaints appeal panel, to be called
- All parties to have the right to question all witnesses;
- The complainant will be invited to sum up their complaint, and then the Small School Manager will be invited to sum up the school's position and response to the complaint.

4.17 At the conclusion of the Complaints Appeal Panel hearing the Chair of the Panel will inform the complainant and the Small School Manager that the Panel will consider its decision in private and will send a written response within 10 school days. At this point all parties other than Panel Members and the clerk must vacate the room.

4.18 The Panel will consider the original written complaint, along with all subsequent evidence that has been presented both orally, and in writing. The remit of the Panel is to:

- (a) Dismiss the complaint in whole or in part;
- (b) Uphold the complaint in whole or in part;
- (c) Decide what, if any, action should be taken to resolve the complaint;
- (d) Recommend any changes, if appropriate, to the school's processes or systems to ensure similar complaints do not arise again the future. The Panel will present their findings in writing.

4.19 The Clerk or Chair of the Panel will ensure the written findings outlining the Panel's decision is sent to both the complainant and the Small School Manager.

4.20 Stage 4 should be completed in 25 school days. However, this may not always be possible, especially if a complaint is complex, and where that is the case, the Clerk will ensure both parties are written to and advised of the revised target date.

4.21 There is no right of appeal against the Complaints Appeal Panel decision. If the complainant remains dissatisfied and believes the Panel has acted unreasonably in response to the complaint, the complainant should be advised to contact Ofsted if the complaint is likely to lead to a determination there is a need to inspect. Ofsted cannot seek to resolve any individual complaint.

Role of Ofsted

A complainant can complain to Ofsted about the Small School. Ofsted have an on-line form and aim to respond within 30 working days. Their initial response will tell you if Ofsted will investigate or not, and why.

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

Vexatious Complaints

There will be occasions when, despite all stages of the school's complaints procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the process by writing to one of the Directors with the same complaint, one of the Directors may respond to them in writing that all stages of the school's complaints procedure have been exhausted and that the matter is now closed.

REFLECTIONS SMALL SCHOOL - FORMAL COMPLAINT FORM

Please complete and return to the school office marked Private & Confidential to the Small School Manager or Director who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

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 only

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:
