

# Complaints Policy



## SILVER BRIDGE SCHOOL

<b>Policy Ref:</b>	SBS11.	
<b>Approved by:</b>	Kirsty Thomas	<b>Date:</b> 3 <sup>rd</sup> Mar 2021
<b>Last reviewed on:</b>	May 2021	
<b>Next review due by:</b>	May 2023	

## Contents

1. What constitutes a complaint? .....	2
2. Introduction .....	2
3. Aims and objectives of the policy .....	3
4. Who is allowed to complain? .....	3
5. Monitoring complaints.....	3
6. Initial concerns .....	4
7. Formal procedures.....	4
8. Confidentiality.....	6
9. Equal access, accompaniment and representation.....	6
10. Time between stages.....	6
11. Appeals.....	7
12. Summary.....	7
13. Complaints not in scope of this procedure.....	7
14. Appeal process.....	8
15. Monitoring process.....	10
16. Links to other policies.....	10

---

*'Take all complaints seriously. Don't let small concerns become big ones.'*  
NAHT Handbook for School Leaders

**This Policy is for Parents/Carers, Students, Staff members and Stakeholders.**

### 1. What Constitutes a Complaint?

The *Independent School Standards* and the Department for Education do not distinguish between 'concerns' and 'complaints'. Any matter about which a parent or carer of a student is unhappy and seeks action by the School is a complaint and is in the scope of this Policy whatever the School labels it as.

### 2. Introduction

At Silver Bridge School we recognise that everyone occasionally makes mistakes. What is important, however, is that when mistakes are made there is a clear and fair approach to putting things right again. The school's stance on complaints is so vital to our ethos of openness, transparency and the importance of the voice of the student, parent/carers, stakeholders and staff.

The aim of this Complaints Policy is to ensure that every parent/carers, student, and Stakeholder involved in Silver Bridge School understands this policy and has access to a procedure that supports and enables them to raise concerns or complain about any aspect of the school or services.

Staff members who have concerns or complaints relating to their contract or employment or employee relationships, are expected to raise these through the school staff grievance policy and procedure. Any other concern or complaint should be raised through this complaints procedure.

### Silver Bridge School Complaints Policy will:

- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-scales** for action and keep people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;

### 3. Aims and objectives of the policy

This complaints policy aims to:

- Encourage the resolution of concerns by informal means wherever possible;
- Ensure that concerns and complaints are dealt with quickly, fully and fairly and within clearly defined time scales;
- Provide effective responses and appropriate redress;
- Maintain good working relationships between all people involved with the school.

### 4. Who is allowed to complain?

This policy may be used by anyone (except staff whose concern or complaint is about their contract of employment or employee relationships) that has a concern or complaint about any aspect of the school. This includes but is not limited to: stakeholders, students or the parents or carers of the school's students, but may include neighbours of the school, or any other members of the local community.

### 5. Monitoring complaints

At all stages of the formal complaints procedure, the following information will be recorded:

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

The **Headteacher** will be the responsible person for maintaining a record of complaints and ensuring that all school students, parents/carers and staff, are aware of and comply with this policy, providing leadership and vision in respect of equality and provided guidance and support to all staff. The only instance where the Headteacher will **NOT** be responsible for logging complaints is if the complaint is made against the Headteacher.

In this instance, the complaint will be dealt with by the Chair of the Governing Body and Executive Chairman of Spaghetti Bridge Ltd Stephen Bradshaw, contactable on [Stephen.bradshaw@spbridge.co.uk](mailto:Stephen.bradshaw@spbridge.co.uk).

## **Upholding or not upholding complaints**

At each stage of the complaints procedure, the conclusion will be either:

- That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.  
Or
- That the complaint is not upheld and reasons for this are clearly given.

## **Publicity and communication**

It is a legal requirement to publicise our complaints procedures.

This policy will be included within the School's information in many ways:

- information will be given to new parents/carers when their child joins the school
- information will be given to students at the school visit prior to admission
- home school bulletins and/or newsletters will remind parents/carers about the policy
- information will be published on the school's website.

All staff at Silver Bridge School will be made aware of the complaints procedure and the various stages involved. At all stages of the complaints procedure, everybody involved will be clear about what is happening and what their responsibilities are.

Written records will be kept as evidence of procedures followed. In addition, the complainant will be told how to proceed to the next stage of the procedure when their complaint is not upheld.

## **6. Initial Concerns**

At the outset of any concern being raised, the difference between a concern and a complaint will be identified. We believe that taking informal concerns seriously at the earliest stage will reduce the numbers that develop into complaints.

We understand that concerns are often caused by simple mistakes or misunderstandings, or thoughts and feelings that have not been aired or acknowledged and we anticipate that these and other issues can be quickly and informally resolved through improved communication and immediate response. At other times, or if a concern is not resolved to the complainant's satisfaction, it may be necessary to use the formal complaints procedure. It is important that this choice is always available.

We ask that staff where possible are able to resolve issues on the spot, including apologising where appropriate. In addition, it may be appropriate to offer one or more of the following:

- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event of concern will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again.

### **Who to speak to informally**

Individuals can raise concerns with a member of the school administrative staff, class teacher, senior leader or Headteacher depending on their wishes and the type of issues they want to discuss.

### **Monitoring**

A brief note of all such issues will be kept.

### **Time scales**

There are no specific time scales for dealing with concerns at this stage. However, as at all stages, issues will be considered and dealt with as quickly and effectively as possible.

### **Response**

The individual who raised the concern or complaint will be informed of any action to be taken to resolve the issue and if appropriate, in writing.

## 7. Formal Procedures

If a Stakeholder, student, or parent/carer is dissatisfied at the outcome of discussing a concern, they can make a complaint. At Silver Bridge School, we treat **ALL** complaints as formal, no matter how small. We will follow the same rigorous procedure for all complaints received, and we aim to resolve each one with a satisfactory resolution.

The **Headteacher** is the School's nominated member of staff with responsibility for the operation and management of the school complaints procedure.

**The Headteacher must ensure, when they investigate complaints, that they:**

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- nominate an appropriate person to meet with the complainant or contact them (if unsure or further information is necessary)
- ensure the allocated person clarifies what the complainant feels would put things right
- if required, ensure the allocated person interviews those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- ensure the allocated person conducts the interview with an open mind and be prepared to persist with questioning
- ensure that detailed notes of the interview are kept.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage during the resolution of the complaint.

This procedure will identify areas of agreement between the parties and clarify any misunderstandings that may have occurred to ensure a positive atmosphere in which to discuss any outstanding issues. Our first action will always be to ensure, from the outset, that everyone involved with Silver Bridge School is given a copy of the Complaints Form and has the procedure fully explained to them.

If judged appropriate, the headteacher will seek the advice of the governing body and where necessary, consider whether an external independent person should carry out the investigation, to ensure a full and fair investigation.

We recognise that it is essential to be open to criticism or complaint from any source and that only by being open to criticism or complaints can we hope to improve our service and the attainment of the students we teach. Therefore, we welcome concerns and complaints.

**The Steps in the Complaints Process are outlined below in detail:**

1. When a complaint is made it must always be recorded on the complaints register, to show the date and time of the complaint being made; the name of the person making it; the nature of their complaint; any response required/given; and the name of the person(s) dealing with it and the complaint reference number based upon the date the complaint is received, and the initials of the person making the complaint. Details of any complaint must always be carefully recorded, along with any supporting information such as to whom the complaint was made or evidence in support of the complaint.
2. Information about any complaint made must be passed immediately to the Headteacher (or their deputy) for them to make an initial assessment and to monitor how complaints are being handled. If the complaint is about the Headteacher, information about the complaint should instead be passed to the Chair of Governors.
3. A decision must also be made at this stage as to how and when to inform any third party who may be the subject of the complaint.

4. The reference number and name of person dealing with the complaint must be given to the person making the complaint as soon as practicable and within **3 working days (during term time)** of the complaint being received.
  5. The matter should then be looked into and responded to, if not in full, within a further **5 working days (during term time)** providing written details of how the matter has been dealt with or the timescale during which it will be investigated and fully addressed.
  6. A written record will be kept throughout of all communication and actions planned or taken, so that the progress of any investigation can be monitored. The records will indicate whether the complaint was resolved satisfactorily at the preliminary stage or preceded to a panel hearing.
  7. The process of investigation and response should not exceed **10 working days (during term time)** except in rare and exceptional circumstances. If this does occur it is vital that the Complainant is informed, in writing, as to when they may expect a full response. It is essential throughout that the Complainant is kept fully informed of the progress of their complaint.
  8. Should the matter then remain unresolved to the Complainant's satisfaction, they have the right to appeal the outcome, within **10 WORKING DAYS or 2 WEEKS** of the full response being sent. This must be in writing.
  9. Where the Complainant has appealed in writing against the response provided, an Appeal hearing will be arranged by the Schools' chair of governors Stephen Bradshaw. The appeal will be heard by a panel of at least 3 people, who have not previously been involved in the complaint, and will include at least one member who is independent to the management and governance of the school.
- 10. The complainant may attend the panel meeting and may also be accompanied by a friend.**
11. The Appeal hearing will be arranged, by the Schools' governing body within **15 working days (during term time)**, with at least three working days' notice given to the complainant to allow for their attendance.
  12. Panel members will be asked to consider the substance of the original complaint and the response provided to this complaint to date. They will then be free to make their own findings and recommendations.
  13. The outcome of any Appeal hearing will be formally recorded, and copies of the findings and recommendations distributed **within 10 working days** to the Complainant, the Headteacher, and, other relevant parties.

## 8. Confidentiality

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and accordingly, personal information will only be shared between staff on a 'need to know' basis. All complaint correspondence will be kept confidentially in a locked cupboard and on a central database with access limited to relevant senior staff.

(The exception to this is the requirement of the school to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, and to inspectors conducting inspections under section 108 or 109 of the Education and Skills Act 2008, or to the Secretary of State, should they ask for such records.)

## 9. Equal access, accompaniment and representation

Steps will be taken to ensure that any individual has the opportunity to raise their concerns or submit a complaint. **This includes the right to be accompanied or represented by a friend or relative** at discussions and hearings and/or to submit complaints which have been written by another individual on their behalf. Should any meeting need to be held where any parties would have difficulties in terms of access, the headteacher will assist with providing an appropriate venue.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood.

## 10. Time between stages

Although each of the stages within the procedure should occur consecutively, it is not necessary for each stage to immediately follow the last.

If the complaint is not submitted to the next stage within the time scales stated within this policy it will be considered as closed / resolved.

### Changes to time scales and deadlines

In general, the time scales and deadlines contained within this policy will be adhered to. However, in certain circumstances it may be inappropriate or impossible to guarantee that this is possible. Where a complaint leads to criminal proceedings this will always be the case.

If and when it becomes necessary to alter the time scales and deadlines set out within this policy, the complainant will be told and given an explanation as to why this has been the case.

## 11. Appeals

If at any stage, as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded, unjustified or incorrect they have the right to appeal. The School's appeal procedures will facilitate this.

## 12. Summary

This policy sets out the procedures which the school will follow whenever it receives a complaint. A summary of the various stages is given below:

### Primary Responsibility:

- Informal discussion and resolution Informal Stage - **School Staff**
- Complaint made followed by an investigation by an appropriate person allocated by the Headteacher/ External independent complaints investigator – **Headteacher / Independent complaints investigator**
- Complaints committee following an appeal- Panel appointed by the **Chair of Governors, including a member independent to the school.**

## 13. Complaints not in scope of the procedure

This complaints procedure covers all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
Admissions to schools	Concerns in relation to admissions and statutory assessments and school re-organisation should be raised direct with local authorities (LA)
Statutory assessments of special educational needs	
Matters likely to require a child protection investigation	In relation to child protection the Silver Bridge School safeguarding procedure will be followed
Whistleblowing	See Silver Bridge School's whistleblowing policy. The DfE is also a prescribed body for whistleblowing in education
Staff grievances and disciplinary procedures	These matters will invoke the Silver Bridge School's grievance procedures.

Complaints about services provided by other providers who may use school premises	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.
---	--

## 14. Appeal process

Complaints rarely reach this level, but it is important that the school is prepared to deal with them. Upon receiving an appeal in writing the Schools' Chair of Governors will usually choose to deal with it by holding a formal appeal meeting with a panel including an independent member.

In some cases, by mutual agreement, it may be appropriate to resolve the issue with the complainant by other means without the need for a panel hearing with an independent member, i.e. a meeting held by the Schools' Chair of Governors or their representative with the complainant and the issue being satisfactorily resolved.

### The committee

The Schools' Chair of Governors will nominate a panel who have not previously been involved with dealing with the complaint. One of the panel will be independent of the management and governance of the school.

### Submitting a formal appeal

The complainant must submit a written request to the schools' Chair of Governors for their complaint to be considered by a complaints committee within their formal appeal.

### Acknowledgement and time scales

The Schools' Chair of Governors will acknowledge receipt of a letter within **10 working days (within term time)**. This letter will inform them that their complaint will be heard by a panel including a member independent from the management and governance of the school within 15 school days of the date of this letter.

### Preparation

The Schools' Chair of Governors will ensure there are appropriate preparatory arrangements. The membership of the appeal panel will be confirmed, a date and time will be arranged for a hearing and all existing relevant documentation will be given to the three appointed members. The relevant parties will be informed:

- Of the date, time and venue of the hearing
- Of the aims and objectives of the hearing and how it will be conducted
- That any documentation they wish the committee to consider must be returned to the chair of the panel no later than 5 school days before the hearing takes place
- Of the rights of equal access, accompaniment and representation as set out within this document.
- How and when the panel will reach their decision

It is the responsibility of the chair of the panel to ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing to allow individuals to familiarise themselves with them. **The hearing**

The hearing will allow each party involved to explain their understanding or interpretation of events and for other parties to question them. The hearing will, therefore, usually operate according to the following format:

- The chair will introduce all parties to one another and explain the principles, objectives and format of the hearing
- The complainant will be given the opportunity to explain their complaint. Following this the panel will be allowed to ask the complainant questions.
- The person who responded to the complaint at the earlier stage will then be given an opportunity to explain their response, interpretation or view about the complaint. Following this the complainant and committee will be allowed to question them.
- The author of the original response and the complainant will both be given the chance to give final statements.

- The hearing will be concluded by the chair who should explain that the committee will consider its decision and write to both parties **within 10 school days** informing them of the outcome.

### **After the hearing**

The committee will then consider the complaint and all the evidence presented and:

- Reach a unanimous, or at least a majority decision, on the complaint, as judged appropriate by the chair;
- Decide upon the appropriate action (if any) to be taken;
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

### **This policy has been developed after consulting:**

- The Education (Independent School Standards) (England) Regulations 2015 Standard 7(a – l)
- DfE School Complaints Procedure Guidance;
- 'Running a Complaints System' (The Local Government Ombudsman);

## **15. Monitoring arrangements**

This policy will be reviewed by the governing body annually. At every review, the policy will be shared with and approved by the headteacher.

## **16. Links with other policies**

This complaints policy is linked to:

- Child protection and safeguarding policy
- Whistleblowing policy
- Equality policy