



# COMPLAINTS POLICY

Last reviewed	June 2024
Reviewed by	Head of Centre
Next review	June 2026

## Complaints Policy

### 1. Principles

The school tries to resolve problems informally wherever possible. An effective response and appropriate redress will be provided to all complaints as quickly as possible dependent upon the complexity of the issues raised.

**NB** This policy relates to complaints about the educational administration of an alternative education provision centre and typically applies to complaints made by parents and carers of students.

### 2. Legal obligations

- Complainants must be aware that there is a complaints procedure and copies of this policy will be available on request.

### 3. Dealing with complaints

- a) At each stage, the person investigating the complaint will ensure that they:
  - clarify the nature of the complaint and unresolved issues
  - clarify what the complainant feels would put things right
  - interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
  - keep appropriate notes of any interview(s) held.
- b) At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:
  - an acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)
  - an apology
  - an explanation
  - an assurance and an explanation of the steps that have been taken to ensure that it will not happen again
  - an undertaking to review the school's procedures in light of the complaint.

### 4. Records

All complaints will be recorded by the centre, including informal complaints. The Head of Centre is responsible for ensuring that staff record all complaints and their outcome.

- Records relating to individual complaints are confidential, except in limited circumstances to comply with the Data Protection Act or Freedom of Information act, or where the secretary of state or a statutory body<sup>1</sup> conducting an inspection requests access to them.

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<sup>1</sup> Under section 163 of the Education Act 2002

## 5. Complaints procedure

- a) Informal complaints – verbal informal complaints may be made to teachers at the end of the school day or to the Headteacher by appointment. A verbal or written response may be given to an informal complainant.
- b) Formal complaints- The complainant will write to the school with details of:
  - The complaint
  - Any attempts they made to raise/resolve the complaint (who they spoke to and when)
  - Actions they feel might resolve the problem
  - Any staff they would prefer not to discuss the issue with.
- c) A staff member (not the subject of the complaint) nominated by the Headteacher will acknowledge and investigate the complaint within 7 working days. This time scale may be reasonably extended if the nature of the complaint is judged by the Headteacher to be of a complex nature. The investigatory report will be presented to the Headteacher for final determination. The complainant will receive a formal response in writing from the Head teacher.
- d) The Alternative Centre of Education reserves the right to deny investigation of any complaints which are considered to be vexatious, malicious, and those relating to a previous complaint that has already been investigated.

## 6. Dealing with persistent complaints

In the case of vexatious or persistent complaints, the Headteacher will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

## 7. Responsible person

The person in charge of co-ordinating the complaints procedure at the centre is the Head of Centre.

## 8. Complaints made about the Headteacher or Head of Centre

In exceptional circumstances parents/carers may wish to complain about the Headteacher or Head of the Centre.

- If the complainant wishes to raise a complaint about the Headteacher, they should raise this directly with the Head of Centre in the first instance. This is the first stage of the process
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If you feel that the Head of Centre has acted unreasonably, you can consider complaining to the Secretary of State for Education and in some circumstances, Ofsted may consider a complaint about a centre.

Advice for parents about making a complaint to the Secretary of State or Ofsted can be found in the Your Child's Welfare at School section on the [Gov.uk website](http://www.gov.uk).

## Procedure

The complainant may decide that they are not happy with the response to the formal complaint and can therefore make provision for a hearing before a panel appointed by or on behalf of the proprietor consisting of at least 3 people who are not directly involved in the matters detailed in the complaint. One of the panel members will be independent of the management and running of the school. The complainant may be accompanied to the panel hearing if they so require.

### 1) A formal meeting

All parties will attend the meeting in the same room. The complainant, the Headteacher and any other staff/witnesses will be invited to make representations concerning the complaint and may be questioned by the panel members so that they can form a clear and unbiased view of the complaint. Whilst it will be for the chair of the panel to decide exactly how the meeting will precede, the procedure at the meeting will allow:

- a. the complainant to explain their complaint
- b. the Headteacher to explain the school's response
- c. the panel to have an opportunity to question both the complainant and the other party
- d. all involved to call witnesses (subject to the approval of the chair of the panel), and the panel to question all the witnesses
- e. the complainant, the Headteacher/other party and staff/witnesses to be accompanied at the meeting if they so wish (other than by a legal representative).

The meeting will be minuted, and these minutes circulated to the parties with the Panel's decision.

At the end of the meeting, the chair of the panel will explain to the complainant and the Headteacher/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to **both parties, the complainant and the person about whom the complaint is being made** as quickly as possible and in an expeditious manner.

### 2) An investigatory approach

The complainant and representative(s) from the school may be invited to attend a formal meeting with the complaints panel in order to clarify the matter. As the panel meeting is intended to be investigatory, the persons giving evidence or making representations to the panel would normally attend separately. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure will allow:

- a. the complainant, the Headteacher/other party and staff/witnesses to be accompanied if they so wish (other than by a legal representative)
- b. notes of the interview to be made, checked with the interviewee and made available to other parties on request.

The chair of the panel will explain to the complainant and the Headteacher/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

Whichever procedure is followed, the panel will remember that some complainants are unused to dealing with groups of people in formal situations and may feel inhibited. Parents/carers may

also feel emotional about discussing an issue that affects their child. The chair of the panel will ensure that the proceedings are as informal as the situation allows.

Written records will be kept of all complaints whether they are resolved following a formal procedure or proceed to a panel hearing, along with the action taken by the school as a result of those complaint (regardless of whether they are upheld)