

Complaints Policy

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Next Review	January 2023		
Reviewed By	Headteacher		
Approval by Governing Body	Joanne Franklin		
Date Approved	06/07/2021		

Rationale

At Pathways Education, we encourage everyone who has a concern or complaint to come forward and express them so that Pathways Education is in a position to put it right, resolve situations and improve processes. It is important that there be 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.

We must ensure that every parent/carers, student, and Stakeholder involved in Pathways 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 grievance procedure in the HR policy. Any other concern or complaint should be raised through this complaints procedure.

Matters concerning Young Persons can be brought to the attention of Pathways Education by parents or by the Young Person themselves. Student are provided with opportunities throughout the day for reflection and to communicate their concerns with any member of staff. They can also ask to speak to

the Headteacher, who is accessible and onsite. This empowers them to take responsibility for their own actions, develops their independence and is in keeping with the ethos of Pathways Education, which promotes mutual respect and trust between staff and the Young Person.

Pathways Education 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;

Aims

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.

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.

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.

Monitoring Complaints

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.

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.

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 Pathways Education 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.

Stage 1: Informal Resolution

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.

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

A brief note of all such issues will be kept.

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.

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 within 5 working days. A written record of concerns and complaints will be made.

Stage 2: Formal Resolution

If a Stakeholder, student, or parent/carer is dissatisfied at the outcome of discussing a concern, they can make a complaint. At Pathways Education, 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;

meet with the complainant or contact them (if unsure or further information is necessary);

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;

conduct the interview with an open mind and be prepared to persist with questioning;

keep detailed notes of the interview. 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 the complaints procedure is readily available and is explained to anyone involved in Pathways.

Where requested or appropriate, the headteacher will seek the advice of the governing body and ensure that an external independent person 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 for them to make an initial assessment and to monitor how complaints are being handled.
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 within 24 HOURS or 1 WORKING DAY of the complaint being received.
5. The matter should then be looked into and responded to, if not in full, within 5 WORKING DAYS, 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, 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.

Stage 3: Panel Hearing

Should the matter then remain unresolved to the Complainant's satisfaction, they have the right to appeal the outcome, within 20 WORKING DAYS or 4 WEEKS of the full response being received.

This may include a recorded meeting being held by a member of the school Senior Leadership Team with the complainant.

1. Where the Complainant wishes to appeal against the response provided, an Appeal hearing will be arranged by the schools' chair of governors. The appeal will be heard by a panel of at least 3 people, who have not previously been involved in the complaint, and may include an external independent complaint investigator.
2. The complainant may attend the panel meeting and may also be accompanied by a friend.

3. The Appeal hearing will be arranged, and an Appeals panel convened by the schools' governing body within 15 working days, with at least three working days' notice given.
4. Panel members will be asked to consider the substance of the original complaint and the response provided to this complaint by the Headteacher. They will then be free to make their own findings and recommendations.
5. The outcome of any Appeal hearing will be formally recorded, and copies of the findings and recommendations distributed within 5 working days to the Complainant, the Headteacher, and, where possible, any person(s) about whom the complaint has been made

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 only rights for Headteacher and Chair of Governors.

(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.)

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.

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. Complainants may need some time to decide whether they wish to pursue the matter any further.

After each stage, the complainant and the individual who is dealing with their complaint at that time will agree an appropriate time scale within which the next stage should be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time scale it will be considered as closed.

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.

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.

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 investigation by Headteacher/ External independent complaints investigator – Headteacher / Independent complaints investigator
- Complaints committee following an appeal- Chair of Governors/Independent Complaints Investigator

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 directly with Local Authorities (LA)
Statutory assessments of special educational needs	
Matters likely to require a child protection investigation	In relation to child protection, Pathways Education Safeguarding procedure will be followed.
Whistleblowing	See Pathways Education's whistleblowing policy. The DfE is also a prescribed body for whistleblowing in education.
Staff grievances and disciplinary procedures	These matters will invoke Pathways Education'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.

Appeal process

Complaints rarely reach this level, but it is important that Headteachers are prepared to deal with them. Upon receiving a formally submitted complaint at this stage the Schools' Chair of Governors will usually choose to deal with it by holding a complaints committee hearing. However, in some cases, it may be possible and appropriate for the Headteacher to resolve the issue with the complainant by other means without the need for a complaints committee review, i.e. a meeting held by the Schools' Chair of Governors or representative with the complainant and the issue being satisfactorily resolved. The complaints committee must be clerked; the clerk may be a member of the school staff.

The committee

The schools Chair of Governors will nominate three independent people to the complaints committee who have not previously been involved with dealing with the complaint and are of a senior level.

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.

Acknowledgement and time scales

The schools' Chair of Governors will acknowledge receipt of a letter within 5 school days if possible but no more than ten at most by writing to the complainant. This letter will inform them that their complaint will be heard by a complaints committee within 15 school days of the date of this letter.

Preparation

The schools' Chair of Governors will liaise with the clerk regarding preparatory arrangements. The clerk will convene a meeting of the complaints committee. The membership of the complaints committee 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 clerk should then formally write to the complainant, the Headteacher and any other relevant staff or witnesses and inform them:

- 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 Clerk 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 committee will reach their decision

It is the responsibility of the clerk 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 Headteacher and the complaints committee will be allowed to ask the complainant questions.
- The Headteacher will then be given an opportunity to explain the school's official response, interpretation or view about the complaint. Following this the complainant and committee will be allowed to question the Headteacher.
- Every party will be given the opportunity to call witnesses and question witnesses called by other parties.
- The Headteacher 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 5 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;
- 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) Page 9
- DfE School Complaints Procedure Guidance;
- 'Running a Complaints System' (The Local Government Ombudsman);

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.

Links with other policies

This complaints policy is linked to:

- Safeguarding and Child Protection Policy
- Whistleblowing policy
- Equality policy

Appendix 1

School Record of Concern/Complaint

Name of person raising the concern/complaint:	
Date concern/complaint received:	
Names of all those involved in the complaint – indicate staff or student	

Details of the Concern/Complaint: (Attach copy of any written communication)	
Desired outcome of the complainant:	
CHRONOLOGY OF EVENTS	
Event	Date

Summary of Findings:			
Action Taken: (who, what, when)			
Who	What	When	
Reported To:			
Review/Follow Up:			

Appendix 2

Complaint FAO of the Headteacher/CEO

Name of person raising the concern/complaint:	
Date concern/complaint received:	
Name of the person receiving the complaint:	
Student's Name (if applicable):	
Student's Class (if applicable):	

Details of the Complaint and action taken so far: (Attach copies of any written communication)
Reasons why the Complainant is still dissatisfied:
Action by the Headteacher/CEO