



## Complaints Policy

This Policy has been written using 'Best Practice Advice for School Complaints Procedures 2016'

### **Purpose**

All schools are required by law to have a complaints policy. This policy should help resolve problems and provide a means for issues of concern to be raised and subsequently addressed. All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' policy set out below.

### **Expressing Concerns (Stage 1)**

There are inevitably issues that arise that, if dealt with promptly and in a considerate manner, will avoid the need for a formal complaint. Any problem or concern should be raised promptly with the staff or member of staff. If your concern is more serious you may prefer to make an appointment to discuss it with the Centre Manager or a member of the Senior Management Team. All staff will make every effort to resolve your problem promptly at this informal stage.

### **Formal Complaints**

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

All details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution. The complaint will be dealt with in line with CornerPost Education Centre's complaints procedure.

In most cases it will be your choice as to whether to mount a formal complaint, but the Centre reserves the right to utilise the formal complaint procedures where the Centre feels that 'informal' methods of resolving concerns have been exhausted but a complainant clearly remains dissatisfied.

It should be noted that some outcomes of a complaint may lead to action being initiated under other formal procedures, such as safeguarding or disciplinary matters. Where this is the case you will be advised and informed of the procedures that are to be followed. It should be noted, however, that the centre will not necessarily be able to provide you with the details of the outcome of those procedures for data protection reasons or otherwise, depending on the circumstances.

If a formal complaint is made to CornerPost Education Centre, you will be provided with a copy of this complaints policy. It is not a requirement that a formal complaint is made in writing, but we will need to be clear what the complaint is about and may therefore request clarification from you before investigating the complaint.

Please be aware that we reserve the right not to review a complaint made by a complainant that has not been brought to the attention of CornerPost Education Centre within 12 weeks of the alleged incident occurring. However, the Centre will consider any complaint outside of that timescale in certain circumstances.

## **Stage 2 (Management Committee)**

It may be that the Centre Manager has not been aware of the concern raised prior to this point. At this stage, the Centre Manager will seek to investigate your concerns, as well as attempting to resolve the matter to the satisfaction of all concerned. This may involve having a discussion/meeting with you.

If the complaint is about the Centre Manager, it will be considered by the Management Committee at this stage. The Chair will seek to resolve the matter through discussion with the Centre Manager and you. In doing so and, if considered appropriate, the Chair may wish to meet with you in person.

If the complaint is about the Chair of the Management Committee or any individual committee member it must be made in writing to our Centre Manager.

CornerPost Education Centre will endeavor to respond, in writing to a Stage 2 complaint within 5 working days after receiving the complaint.

Where concerns cannot be resolved by the Centre Manager (or the Chair if applicable) then you will be advised that details of your continuing concerns will be accepted either in writing or verbally and then referred to the Management Committee (**Stage 3**). The attached form **Appendix 1** may be used for this purpose if you wish, and it would also be useful if you were able to state what actions you feel might resolve the problem.

## **Stage 3 (Management Committee)**

If a complaint has been referred to the Management Committee (“the Panel”) then the Panel will arrange to meet to consider the complaint. The Panel will endeavour to provide you with a written response within 5 working days after the meeting. You have the right to request an independent panel if you believe there is likely to be bias in the proceedings. We will consider your request but ultimately, the decision is made by the committee.

Membership of the Panel will do their best to ensure that there is a cross-section of the different categories of committee members to ensure impartiality. The Centre manager and chair of management committee will not be members of this panel, which will elect its own chair, although one or both may be present at the meeting held to consider the complaint.

You will be given the opportunity to attend the complaints meeting to make representations in person, and you will have the right to bring a friend/family member or other supporter. The Panel will therefore meet at a time and a venue convenient to all parties. If you decide not to attend the complaints meeting, it may be held in your absence.

## **Management Committee (the Panel) – Procedure**

The Panel will want to ensure that the nature of the complaint is understood and, where possible, will seek to establish from you what actions you feel might resolve

the problem. In helping to reach a conclusion, the Panel will seek to identify possible sources of information and advice to help collate the necessary evidence.

As indicated above, you will be given the opportunity to attend the complaints meeting and will have the right to bring a friend / family member or other support.

In normal circumstances the centre manager and/or chair of management committee may also attend the meeting but will not take any part in the decision-making process.

A typical complaints meeting may adopt the following structure:

- The meeting will be as informal as possible.
- Witnesses may be required to attend but only for part of the meeting in which they give their evidence.
- After introductions, you will be invited to explain your complaint, and you will be followed by your witnesses (if any).
- The Centre Manager / chair of management committee will then be invited to explain the centre's actions and will be followed by the centre's witnesses.
- You may ask questions of both the centre manager / chair of management committee and the witnesses after each has spoken.
- The panel may ask questions at any point.
- You will then be invited to sum up your complaint.
- The centre manager / chair of management committee will be invited to sum up the centre's actions and response to the complaint.

The above procedures for the complaints meeting may vary with the approval of all parties, for example you may wish to meet the Panel without the centre manager being present. Where this is the case you should be aware that it will still be necessary for the Panel to meet with the centre manager as part of the process.

### **Outcomes of Investigations**

Whether the complaint has been investigated by the centre manager or chair of management committee a written response will be sent to you outlining the outcome of the investigation, detailing how the conclusion has been reached, and enclose a copy of the minutes. The letter will also tell you where to next take the complaint, if you are not satisfied with the response provided.

The Management Committee may reach the following conclusions:

- dismiss the complaint in whole or in part.
- uphold the complaint in whole or in part.
- decide on the appropriate action to be taken to resolve the complaint.
- recommend changes to the centre's systems or procedures to ensure that problems of a similar nature do not recur

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between you and the centre. Nevertheless, it is acknowledged

that sometimes you may not be satisfied with the outcome if matters are not found in your favour.

### **Persistent or Serial Complaints**

You may remain dissatisfied despite all the procedures having been followed and reasonable responses being provided. It may be the case that it is not possible to resolve all your concerns and meet all your wishes. Sometimes it is preferable to 'agree to disagree' and move on.

If you do continue to make representations to CornerPost Education Centre on the same issues, the Management Committee reserves the right to inform you, in writing, that the appropriate procedures have all been followed, that all reasonable actions have been taken to try to resolve the issue and that the matter is now closed. Should you then write to CornerPost Education Centre again on the same issue (s), there is no obligation on the Centre to respond to you in that case.

### **Unreasonable Complainants**

CornerPost Education Centre is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the centre. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

CornerPost Education Centre defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the centre, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint: -

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refuses to accept that certain issues are not within the scope of a complaint's procedure.
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- changes the basis of the complaint as the investigation proceeds.

- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- seeks an unrealistic outcome.
- makes excessive demands on centre time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically: -

- maliciously.
- aggressively.
- using threats, intimidation or violence.
- using abusive, offensive or discriminatory language.
- knowing it to be false.
- using falsified information.
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with the centre while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the centre manager or Chair of Management Committee will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the centre manager will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact CornerPost Education Centre causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from CornerPost Education Centre.

### **The Role of Staffordshire County Council (Local Authority)**

The Local Authority does **not** have a statutory duty to consider school complaints and you do **not** have a right of appeal to the Local Authority should you disagree with a decision of the governing board.

You may, however, raise the matter with the Local Authority if you consider the complaint wasn't investigated properly or fairly. So long as the governing board followed a proper procedure and considered the complaint in a reasonable manner,

then the Local Authority will simply inform you of that fact. It cannot reverse a decision of the governing board.

If you wish to raise the matter with Staffordshire County Council, please write to:

Commissioner for Learning and Skills  
Wedgwood Building  
Tipping Street  
Stafford ST16 2DH

In your letter please explain:

- what your complaint to the governing board was.
- what response they have made to it.
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- why you think that the governing board has not followed a proper procedure in considering your complaint, and/or
- why you think that their consideration of it was unreasonable.

You will receive a written response to inform you of any further enquiries made into your complaint.

### **The Role of the Secretary of State for Education (the Department for Education)**

If you still remain dissatisfied and feel that the School has not followed the appropriate procedure, any relevant policies, or has failed to discharge a statutory duty, you may wish to refer your complaint to the **School's Complaints Unit (SCU)** within the Department for Education at the address below:-.

Department for Education  
The Schools Complaints Unit  
2nd Floor Piccadilly Gate  
Manchester  
M1 2WD

Please note that the SCU will not re-investigate the substance of the complaint as this remains the responsibility of the School, but if legislative or policy breaches are found, SCU will report them to the School and, if necessary require the School to take remedial action.

**Appendix 1: CornerPost Education Centre complaint form**

Please complete and return to Alan Keast, Centre Manager 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:	
E-Mail address:	
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:
<u>Official use</u> Date acknowledgement sent:	By who:
Complaint referred to:	Date: