

COMPLAINTS POLICY

Prepared By: Adele Grandon

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Authorised By: Kate Grant

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Reviewed by: Emma Hawkins

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1. Purpose

- 1.1 The Complaints Policy and Procedure provides the framework within which anyone who has experienced dissatisfaction with school services can raise their concerns and the framework within which staff should deal with complaints from pupils, parents, customers, employers, contractors, local residents, visitors and others.
- 1.2 It does not replace school procedures for grievance and disciplinary action: those procedures should be used where appropriate.

2. Aims

- 2.1 When responding to complaints, we aim to:
 - Be impartial and non-adversarial
 - Facilitate a full and fair investigation by an independent person or panel, where necessary
 - Address all the points at issue and provide an effective and prompt response
 - Respect complainants' desire for confidentiality
 - Treat complainants with respect and courtesy
 - Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
 - Keep complainants informed of the progress of the complaints process
 - Consider how the complaint can feed into school improvement evaluation processes
- 2.2 We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.
- 2.3 The school will aim to give the complainant the opportunity to complete the complaints procedure in full.
- 2.4 To support this, we will make sure we publicise the existence of this policy and make it available on the school website.
- 2.5 Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

3. Legislation and Guidance

- 3.1 This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.
- 3.2 It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

4. Definitions

- 4.1 “The Trust” means Jigsaw School, Jigsaw Plus, Jigsaw Trust and Jigsaw Trading 2013 Limited (Café on the Park)
- 4.2 “The school” and “Jigsaw School” means Jigsaw CABAS® School
- 4.3 “CABAS®” is an acronym for Comprehensive Application of Behaviour Analysis to Schooling.
- 4.4 The DfE guidance explains the difference between a concern and a complaint:
 - A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
 - A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

5. Scope

- 5.1 The School Management Team will ensure that the complaints procedures are followed as per the policy.
- 5.2 The school intends to resolve complaints informally where possible, at the earliest possible stage.
- 5.3 There may be occasions when complainants would like to raise their complaints formally. This policy outlines the procedure relating to handling such complaints.
- 5.4 This policy does **not** cover complaints procedures relating to:
 - Admissions
 - Statutory assessments of special educational needs (SEN)
 - Safeguarding matters
 - Exclusion
 - Whistle-blowing
 - Staff grievances
 - Staff discipline
- 5.5 Please see our separate policies for procedures relating to these types of complaint.
- 5.6 Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

6. The Policy

- 6.1 Anyone not satisfied with the level of service should feel able to approach relevant staff to address their concern promptly and directly.
- 6.2 Every attempt should be made to resolve complaints informally through a dialogue with those immediately concerned.

- 6.3 **All School staff** have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously in accordance with the procedure set out below.
- 6.4 **The Director of Education** has a responsibility for resolving a complaint, and leading or contributing to an investigation into a complaint when this is considered appropriate.
- 6.5 **The Board of Governors** are responsible for resolving complaints that have reached the appeals stage, ensuring that the complaints policy and procedure are operating effectively and may become directly involved if a complaint is directed against the Director of Education.

7. The Complaints Procedure

Informal Concerns

- 7.1 Concern or dissatisfaction should be raised as soon as possible with a member of staff. This may be a class teacher, other member of staff or the Director of Education. The member of staff/Director of Education will make every reasonable effort to resolve the complaint promptly at local level.
- 7.2 The School takes any issues or dissatisfaction seriously and will make every effort to resolve problems. Where appropriate the School will offer:
 - An explanation of the issue;
 - An explanation of the steps that have been taken to ensure that it will not happen again;
 - An undertaking to review school policies in light of the problem;
 - An apology
- 7.3 If the person with the concern is not satisfied that his/her issue has been resolved, the formal complaints procedure should be invoked in line with the process detailed below.

Stage One – Director of Education/Investigating Governor

- 7.4 The complainant should write to the Director of Education, unless the complaint relates to the Director of Education, in which case the complainant should write directly to the Board of Governors who will nominate an investigating governor to carry out an investigation. The Director of Education/Investigating Governor will provide an initial formal response to the complainant within 5 working days acknowledging the complaint and advising the complainant of the complaints procedure. S/he will investigate the complaint and:
 - 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);
 - 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 in the questioning;

- keep notes of the interview.
- 7.5 The Director of Education/Investigating Governor will conclude investigations within 10 working days and respond in writing to the complainant to either:
- Dismiss the complaint as unfounded, giving reasons;
 - Uphold the complaint in whole or in part;
 - Decide on the appropriate action to be taken to resolve the complaint;
 - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur; and advise the complainant what to do next if they are not satisfied with the outcome.
- 7.6 If the complainant is not satisfied that his/her complaint has been satisfactorily resolved, s/he should inform the Board of Governors in writing within 10 working days of receiving the notice of the outcome.

Stage Two – Board of Governors

- 7.7 The Board of Governors will write to the complainant within 5 working days of receiving the complainant's letter confirming the invocation of Stage Two of the Complaints Procedure.
- 7.8 It is not expected that the Board of Governors will conduct another investigation; their role is to ensure that the complaint has been heard and dealt with properly and fairly. They will review the investigation and evidence and communicate their findings to the complainant within 15 working days.
- 7.9 The Clerk to the Board of Governors will respond in writing to the complainant to either:
- Confirm that the investigation is being reopened.
 - Uphold the findings at Stage One.
 - Advise the complainant what to do next if they are not satisfied with the outcome.
- 7.10 If the complainant is not satisfied with the outcome at Stage Two, s/he should inform the Clerk to the Board of Governors in writing within 10 working days of receiving the notice of the outcome and the Board of Governors will instigate the appeal process.

Stage Three - Appeal

- 7.11 If the complainant is still not satisfied, a panel of three governors will be convened to hear the complaint and make a final decision about it on behalf of the governing body. Every effort should be made to assemble this panel within one month of the appeal request being received. The governors appointed to the panel must have had no previous involvement in the complaint.
- 7.12 The review panel consists of the first 3 members of the governing board available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The governors will select a panel chair from among themselves.

- 7.13 If not enough impartial governors are available, we will seek panel members from other schools. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.
- 7.14 The primary function of the complaints panel is to decide on the merits or otherwise of the complaint. However, the panel will also play an important role in attempting to resolve the complaint. The panel should reach a decision on whether the complaint is upheld or rejected and may call for certain action to be taken by the school or the parents.
- 7.15 The panel should invite written evidence from the complainant and the Director of Education on the complaint and the action taken to resolve it. Any written evidence should be circulated to all parties before the hearing.
- 7.16 The complainant will be invited to attend the hearing and bring someone to accompany them if required. The Director of Education and/or Investigating Governor will also attend the hearing.
- 7.17 A suggested procedure for the hearing itself is as follows:
- Introduction by the chair of the panel
 - Complainant makes statement of complaint and outcome sought
 - Questions to complainant by panel
 - All parties hear and question any witnesses called by complainant
 - Director of Education/Investigating Governor makes statement
 - Questions to Director of Education/Investigating Governor by panel
 - All parties hear and question any witnesses called by Director of Education/Investigating Governor
 - Complainant makes final statement
 - Director of Education/Investigating Governor makes final statement
 - Panel withdraws and reaches decision
- 7.18 Minutes will be taken for this appeal hearing and care should be taken in identifying a clerk. It may be appropriate for a member of staff such as the school administrator or the clerk to the governing body to act as clerk, although consideration should be given to the sensitivity of the particular complaint. It would not be appropriate for a governor to act as clerk.
- 7.19 The decision reached by the panel should be notified to the complainant and where relevant, the person complained about via email or otherwise within 10 working days of the appeal hearing. It should also be reported back to the next meeting of the full governing body. It will also be made available for inspection on the school premises by the Trustees and the Director of Education. Only a brief summary should be provided with no detailed or named information; this will ensure that any further actions will not be jeopardised.
- 7.20 The panel can:
- 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 school's systems or procedures to ensure that problems of a similar nature do not recur.

7.21 Written records will be kept of all complaints indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing.

Taking a Complaint Further

7.22 If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

7.23 The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

7.24 For more information or to refer a complaint, see the following webpage:
<https://www.gov.uk/complain-about-school>

7.25 If the complainant remains dissatisfied with the response by the governing body, he or she would have the right to refer the matter to the Secretary of State for Education on the grounds that the governing body had failed to discharge a statutory duty or that the governing body had acted, or was proposing to act, unreasonably. This could lead to the issuing of a direction against the governing body.

7.26 The Local Government Ombudsman can only consider complaints about school governing bodies that relate to admissions. If the matter is not concerned with admissions, it would not be appropriate to direct a complainant to the Ombudsman.

7.27 If a complainant remains dissatisfied with the school response following appeal they should contact the Board of Governors.

Local Authority Role

7.28 The Local Authority (LA) has no power to investigate complaints about general matters that are the responsibility of the governing body (see below for matters covered by statutory procedures). If parents approach the LA with a complaint about a school, they will be advised to contact the school and to follow the school's complaints procedure.

7.29 If the complainant is not satisfied by the school's procedures, there is no right of appeal to the LA. That said, the LA can play a useful role in mediating between the parties and helping

to reach a mutual understanding or agreement. It is for each governing body to decide whether or not the LA should have a role within their general procedures.

8. Records, Reporting & Confidentiality

- 8.1 Complainants will be advised that while confidentiality will be respected as far as possible it is not normally possible to resolve complaints without disclosing details of a complaint to relevant staff in order to allow the School a fair opportunity to resolve the issue.
- 8.2 The Director of Education should maintain a confidential record of complaints dealt with to feed into the school's quality improvement processes. The Director of Education will maintain a record of all appeals and outcomes.
- 8.3 This Complaints Policy and Procedure will be made available in:
- the school prospectus;
 - the information given to new parents when their children join the school;
 - the information given to the children themselves (where appropriate);
 - posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
 - the school website.

9. Procedure for Pupils to Make a Complaint

- 9.1 If a pupil wishes to make a complaint, there is a procedure for them to follow that is displayed in the relevant classroom (Appendix 1). The pupils are made aware of the complaints procedure and know where they can find the full policy.

10. Learning lessons

- 10.1 The Chair of Governors will review any underlying issues raised by complaints with the Director of Education, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

11. Policy Review

- 11.1 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.
- 11.2 This policy was last reviewed in September 2023.

12. Version History

No.	Date	Amendment
1.1		Reformatted policy
1.2	June 2019	Senior Administrator removed from 3.1
1.3	Sept 2020	No changes, just updated dates.
1.4	Sept 2020	No change to content, updated dates. New Complaints Guide for Pupils poster at Appendix 1
1.5	October 2021	Updated 5.2.3 and 5.3.4 with timeframe of 2 weeks of receiving the notice of the outcome. Amended 5.3.3 to be directed to the Clerk to the Board of Governors
1.6	Nov 2021	5.2.2, 5.2.3, 5.3.2, 5.3.4 – 10 working days for consistency, with 15 days for governors to conclude their findings.
2.1	Sept 2022	Updates at section 2, 3, 4, 5, 7.5, 10 in line with guidance from The Key.
2.2	Sept 2023	Updated appendix 1

13. Related Legislation & Guidance

Document	Location

14. Related Internal Documentation

Document	Electronic Copy Location
Complaints Procedures	Operations / PAWS / POLICIES /
Complaint Parental Guidance	Operations / PAWS / POLICIES /
Complaint Guide for Pupils	Operations / PAWS / POLICIES / Classroom walls

APPENDIX 1 – Complaints Guide for Pupils

COMPLAINTS POLICY

WHAT IS A COMPLAINT?

A complaint is when you tell someone that you aren't happy about something.

You can make a complaint by...

- Talking to a teacher
- Asking your family or a friend to talk to a teacher
- Writing a letter to your teacher

WE WILL ALWAYS LISTEN TO YOUR CONCERNS AND COMPLAINTS

Try and share your complaint with a teacher as soon as you can

We will do our best to make sure any complaint or concern is sorted out as quickly as possible

It's important that you feel happy and safe at school

You can tell your complaint to a member of your family, or to a teacher

KES
Keeping Everyone Safe

WHAT HAPPENS WHEN YOU MAKE A COMPLAINT?

- We will listen to you
- We will try and help you
- We will take your complaint seriously

...and if you're still unhappy, talk to your teachers again

Pupil Friendly Version