

COMPLAINTS POLICY

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Date Adopted: January 2008

Job Title: Director of Education

Status: Statutory

Authorised By: Kate Grant

Last Reviewed: November 2024

Job Title: CEO

Ratified: December 2024

Reviewed by: Emma Hawkins

Next Review date: November 2025

Job Title: Director of Education

Version: 3.1

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1. Purpose

- 1.1 The Complaints Policy and Procedure describes how parents/carers of pupils at the school, who have experienced dissatisfaction with school services, can raise their concerns. It provides the framework within which staff should address these complaints.
- 1.2 It does not replace school procedures for grievance and disciplinary action: those procedures should be used where appropriate.

2. Aims

- 2.1 Our school aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school.
- 2.2 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 school' means Jigsaw CABAS® School
- 4.2 'Director of Education' is the Headteacher of the 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
 - 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. Roles and Responsibilities

The complainant

- 6.1 The complainant will get a more effective and timely response to their complaint if they:
 - Follow these procedures
 - Co-operate with the school throughout the process, and respond to deadlines and communication promptly
 - Ask for assistance as needed

- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media designated

The investigator

6.2 An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Director of Education or complaints committee, which includes the facts and potential solutions

The complaints co-ordinator

6.3 The complaints co-ordinator can be:

- The Director of Education
- The designated complaints governor
- Any other staff member providing administrative support

6.4 The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the Director of Education, Chair of Governors and Clerk
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records

Clerk to the governing board

6.5 The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee chair

6.6 The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

7. Principles for Investigation

- 7.1 When investigating a complaint, we will try to clarify:
- What has happened
 - Who was involved
 - What the complainant feels would put things right

Timescales

- 7.2 The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.
- 7.3 We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.
- 7.4 When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.
- 7.5 If at any point we cannot meet the timescales we have set out in this policy, we will:
- Set new time limits with the complainant
 - Send the complainant details of the new deadline and explain the delay

Complaints about our fulfilment of early years requirements

- 7.6 We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage (EYFS) requirements and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.
- 7.7 Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by:
- Calling 0300 123 4666
 - Emailing enquiries@ofsted.gov.uk
 - Using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>
- 7.8 We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

8. Stages of Complaint (not complaints against the Director of Education or Governors)

- 8.1 We have adopted a 3-stage process for dealing with complaints:
- Stage 1 – Informal Resolution
 - Stage 2 – Formal Investigation

- Stage 3 – Review Panel

Stage 1: Informal Resolution

- 8.2 Our school will take informal complaints seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.
- 8.3 The complainant should raise the complaint as soon as possible within the timescales set out in section 5.1
- 8.4 The complaint should be addressed to the relevant member of school staff or the Director of Education, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office either by phone (01483 273874) or via email (reception@jigsawschool.co.uk).
- 8.5 The school will acknowledge informal complaints within 5 school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.
- 8.6 The informal stage will involve a meeting between the complainant and a member of staff from the School Management Team. A written response will be provided by the school within 10 school days following the informal meeting.
- 8.7 If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal Investigation

- 8.8 The formal stage involves the complainant putting the complaint to the Director of Education along with the subject of the complaint:
- In a letter or email (this is preferred)
 - Over the phone
 - In person
 - Through a third party acting on their behalf
- 8.9 The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.
- 8.10 If complainants need assistance raising a formal complaint, they can contact the school office by phone (01483 273874) or via email (reception@jigsawschool.co.uk)
- 8.11 The Director of Education will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 8.12 The Director of Education (or other person appointed by the Director of Education for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 school days.

How to escalate a complaint

- 8.13 If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.
- 8.14 Complaints can be escalated by contacting the clerk to the governing board:
- By letter or email
 - Over the phone
 - In person
 - Through a third party acting on behalf of the complainant
- 8.15 The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.
- 8.16 The clerk will acknowledge receipt of the request within 5 school days.

Stage 3: Review Panel

Convening the panel

- 8.17 Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.
- 8.18 The panel will be appointed by, or on behalf of, the proprietor and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.
- 8.19 The panel will have access to the existing record of the complaint's progress (see section 10).
- 8.20 The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.
- 8.21 If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.
- 8.22 Any written material will be circulated to all parties at least 2 school days before the date of the meeting.
- 8.23 The panel will ensure that the hearing is properly minuted.

At the meeting

- 8.24 The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 8.25 At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

- 8.26 The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.
- 8.27 Representatives from the media are not permitted to attend.
- 8.28 At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.
- 8.29 The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.
- 8.30 The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Director of Education.

The outcome

- 8.31 The committee can:
- Uphold the complaint, in whole or in part
 - Dismiss the complaint, in whole or in part
- 8.32 If the complaint is upheld, the committee will:
- Decide the appropriate action to resolve the complaint
 - Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future
- 8.33 The school will inform those involved of the decision in writing within 10 school days.

9. Complaints against the Director of Education, a Governor or the Governing Board

Stage 1: Informal Resolution

- 9.1 Complaints made against the Director of Education or any individual member of the governing board (including the chair or vice-chair) should be directed to the clerk of the governing board in the first instance.
- 9.2 A suitably skilled and impartial governor will then carry out the steps at stage 1 set out in section 6 above.
- 9.3 If the complaint is not resolved informally, it will be escalated to a formal complaint.
- 9.4 Complaints about the whole governing board will be resolved at stage 2 below.

How to escalate a complaint

- 9.5 Complaints can be escalated by contacting the clerk to the governing board:
- By letter or email

- Over the phone
- In person
- Through a third party acting on behalf of the complainant

9.6 The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

Stage 2: Formal Investigation

9.7 Complaints that involve or are about the Director of Education should be addressed to the chair of governors, via the school office, marked as private and confidential.

9.8 Complaints about the chair of governors, any individual governor or the whole governing body should be addressed to the clerk to the governing board via the school office, marked as private and confidential.

9.9 Formal complaints can be raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

9.10 If the complaint is about the Director of Education or an individual governor, a suitably skilled and impartial governor will then carry out the steps at stage 2 set out in section 6 above.

9.11 If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

9.12 An independent investigator will carry out the steps in stage 2 set out in section 6 above. They will be appointed by the governing board and will write a formal response at the end of their investigation.

9.13 The written conclusion of this investigation will be sent to the complainant within 10 school days.

9.14 If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

9.15 The clerk will acknowledge receipt of the request within 5 school days.

Stage 3: Review Panel

9.16 If the complaint is about the Director of Education or an individual governor, the steps outlined in stage 3 of section 6 above will be followed.

9.17 If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board, or
- The majority of the governing board

9.18 A committee of independent governors will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 3 (set out in section 6 above).

10. Referring Complaints on Completion of the School's Procedure

10.1 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

10.2 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.

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

11. Record Keeping and Confidentiality

11.1 The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

11.2 This material will be treated as confidential and stored securely and will be viewed only by those involved in investigating the complaint or on the review panel.

11.3 This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

11.4 Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and Data Retention Policy/data retention schedule.

- 11.5 The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.
- 11.6 Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.
- 11.7 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

12. Learning Lessons

- 12.1 The governing body 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.

13. Links with other Policies

- 13.1 Policies dealing with other forms of complaints include:
 - Safeguarding and Child Protection Policy
 - Admissions Policy
 - Suspension and Permanent Exclusion Policy
 - Grievance Policy
 - Discipline & Capability Policy
 - Privacy notices

14. Monitoring Arrangements

- 14.1 The governing body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing body will track the number and nature of complaints, and review underlying issues as stated in section 11.
- 14.2 The complaints records are logged and managed by the Director of Education.

15. Policy Review

- 15.1 This policy will be reviewed every two years or earlier as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.
- 15.3 This policy was last reviewed in November 2024.

16. 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
3.1	Nov 2024	Policy overhaul

17. Related Legislation & Guidance

Document	Location

18. 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
Safeguarding & Child Protection Policy	Home page / policies / school / safeguarding
Admissions Policy	Home page / policies / school / operations
Suspension & Permanent Exclusion Policy	Home page / policies / school / operations
Grievance Policy	Home page / policies / trust / HR
Discipline & Capability Policy	Home page / policies / trust / HR
Privacy Notice	Home page / HR Forms