

Version	Date	Updated by
1.0	Aug 2014	Norman Chessman
2.0	Aug 2016	HR Team
2.1	Aug 2018	Cate Tumman
2.2	Aug 2020	Cate Tumman

## The PLACE Independent School Complaints and Compliments Procedure

The PLACE Independent School aims to provide a high-quality service in partnership with our learners, stakeholders both internal and external, carer’s and the Local Authorities to actively seek their opinion regarding the quality of provision received. To this end The PLACE Independent School will endeavour to:

- Record complaints and ensure that they are brought swiftly to the attention of the staff, and senior management.
- Resolve any complaints as fully and quickly as possible but by **no later than 28 days formally**.
- Use the information gained to improve the quality of services throughout the school for the benefit of all.

### Compliments

A compliment is an expression of satisfaction by a learner or relative or other representative. It is an expression of gratitude or appreciation to staff for the service provided.

In order to recognise the level of appreciation, a record of all forms of compliments will be retained within the school e.g. compliment or thank you cards, positive correspondence etc.

### Complaints

A complaint is an expression of dissatisfaction from the learner, their parent/carer or other representative, or any other person with a vested interest in the running of the school.

The **complaints procedure** is designed to:

- Be accessible
- Be simple to understand and to use

<b>Date reviewed:</b>	Aug 2020	<b>Policy:</b>	Complaints & Compliments
<b>Review due:</b>	Aug 2022	<b>Reviewed by:</b>	Cate Tumman

- Allows quick handling of the complaint within specified time limits
- Ensure all parties involved are kept informed
- Ensure a full and fair investigation
- Address all points at issues and provide an effective response
- Provide information to managers and staff so that services can be improved

The PLACE Independent School acknowledges that regardless of how well staff undertake their job there will always be occasions where the individual may slip up, whether there are misunderstanding between the worker and the learner/their family or whether the learner/their family may be dissatisfied for any other reason or simply if there has been a personality clash.

The following complaints procedure applies in these circumstances as well as for the learner, parents and carers.

It is the express desire of The PLACE Independent School to resolve any difficulties with the learner, their family or any party with a legitimate interest in the welfare of the learner (and others whose lives come into contact with The PLACE Independent School) as speedily as possible in the best interests of all concerned.

It is for this reason that the first part of the Complaints Policy is:-

**Informal resolution.**

To resolve any complaint informally, The PLACE Independent School expects the staff member (on whom the complaint is focused) to meet with the complainant with the intention of problem solving and moving the relationship/resolution forward. Staff will be especially aware of any power dynamics in this situation and act with sensitivity and discretion at all times. A third party may also be present to help mediate between the complainant and the person about whom the complaint is made. In the case of a complaint from a neighbour etc. the Head will take responsibility for instigating the informal meeting. The complaint will be recorded in the complaints book at this stage.

The complainant will be given the opportunity to express their complaint fully and the staff member (or Head in the case of a complaint from a neighbour etc.) given the opportunity to respond fully. From this position it is hoped it may be possible to identify where things have gone wrong and make agreements to prevent a similar situation reoccurring. A review date will be set for the individuals concerned to meet again; usually after four to six weeks, to ensure the relationship is continuing smoothly.

At this informal stage of the complaint it may be necessary or more comfortable for the complainant to have a facilitator present. This could be an Independent Advocate, the learner's social worker, a different member of staff with whom the learner/their family feels comfortable or the staff member's line manager. The learner's social worker will be informed of the outcome of this informal

<b>Date reviewed:</b>	Aug 2020	<b>Policy:</b>	Complaints & Compliments
<b>Review due:</b>	Aug 2022	<b>Reviewed by:</b>	Cate Tumman

approach (should the learner be known to social care). It is not appropriate for legal representative to act as an accompanying adult at this stage nor at the formal stage of the process.

At any time during the complaints process the complainant can choose for their complaint to be heard by an individual who is separate from the school. In these situations, the complaint would be heard by one of The PLACE Young People's Company e.g HR team or residential home managers. All complainants will be informed of this option at the first point of discussion in the complaints process.

Should it not prove possible to resolve the complaint informally, the **Formal Process** will be instituted.

Should this be necessary, the Head of The PLACE Independent School will be required to conduct a formal investigation into the complaint. The complainant will be asked to complete a complaints form, available from HR.

## **Formal Process**

### **First Stage**

The complainant will be formally interviewed by the Head and contemporaneous notes taken of the meeting. These notes will be signed and dated by the complainant as a fair and accurate representation of what they have said. The Manager will then undertake further formal interviews, as required, following the same process with any other person relevant to the investigation.

All interviewees will be given the opportunity to have another person present at these interviews. For the learner/their family it might be another family member, an Independent Advocate, Social Worker etc. For the staff member it might be a work-place colleague of similar work status.

If, at any point during the investigation, it appears that a criminal offence may have been committed, the matter should be reported to the police immediately. Discussions should be held with the police about whether the investigation into the complaint can continue alongside their own inquiries and this is led by the Police themselves not the school staff.

In the case of a safeguarding concern the LADO may be contacted by the Head to aid investigation and support the Head with the complaint and ultimate outcome of the investigation. If it emerges at any point that a learner may have been caused significant harm or may be at risk of significant harm, child protection procedures should be instigated immediately.

The Head will feed back within ten working days the results of their investigation to the complainant, the learner's Social Worker and the staff member along with what (s)he intends to do about their findings. This decision will also be confirmed in writing.

<b>Date reviewed:</b>	Aug 2020	<b>Policy:</b>	Complaints & Compliments
<b>Review due:</b>	Aug 2022	<b>Reviewed by:</b>	Cate Tumman

### Second Stage and Right to Appeal

Should the complainant be dissatisfied with the outcome of the investigation, they may have a **right of appeal**. A decision to appeal must be put in writing to the School Proprietor of The PLACE Independent School and must give reasons as to why the complainant feels a review of the decision is necessary e.g. fresh or overlooked evidence, bias etc.

The School Proprietor will then review the investigation process and collated evidence, conduct any further investigations he/she feels appropriate and report back to all parties concerned within ten working days. The appeal decision will be confirmed in writing.

### Third Stage

Should the complainant still feel dissatisfied with the outcome of their complaint or the manner in which the complaint has been managed, they can request a panel hearing, this panel will consist of a minimum of three people one of whom will be independent to the school. Complaint may be accompanied to a panel hearing a record will be taken of all outcomes and actions from the hearing and these findings will be reported in writing to the complainant and a copy kept on school premises. All records are confidential in line with our data protection policy.

At the time of writing, the school governance will also advise the complainant as to what further steps, they might wish to take should they remain dissatisfied with the final decision.

Should the staff member be dissatisfied with the process **at any stage**, it is their right to take out a grievance. This grievance will be investigated in line with The PLACE Independent School Grievance Procedure: at the conclusion of the original complaint.

### Exceptions to process

Should the complaint be made against the Head, the School Proprietor will conduct the first stage investigation and wish to appeal against the decision, an independent consultant will be appointed to consider the appeal so that the integrity of the final appeal to the School Proprietor is retained.

After completion of the formal complaints process, should a complainant wish to request an Independent Panel reviews the complaint this will be considered by the C&SC who will make the final decision on this.

### Timescales

In order that complaints are treated with the appropriate level of attention, The PLACE Independent School requires complaints to be managed within prescribed timescales by the senior leadership team of the school and School Proprietor:

- A response to the initial complaint must be forthcoming within 48 hours.
- The informal meeting must take place within five working days of receipt of the complaint
- A formal meeting will take place within ten working days of receiving notification from the complainant of the informal process being unsuccessful. (This may be at the end of the test

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period to resolve the complaint informally). Feedback from the formal meeting will be provided within ten working days.

- Should an appeal be considered by the complainant, this will be convened within two weeks of receiving the notification. Feedback from the appeal will be provided within ten working days.
- An appeal will be considered out of time if the complainant has not made representation within three months of the date of the formal complaint being responded to.
- Similarly, a final appeal to the School Proprietor of The PLACE Independent School will be considered out of time should it not be received within three months of the date of the outcome of the formal complaint being responded to.

Regardless of whether a complaint is dealt with formally or informally, accurate notes should be made by the keyworker or investigating manager of each stage of the process, including records of meetings.

### Persistent Complaints

Should a complainant remain dissatisfied with the formal process and does not feel they have had resolution to their satisfaction it may be that in extenuating circumstances they may try to re-open this case or complain on a further basis. Should this situation arise the Chair of governance reserves the right to write to the complainant and explain that the matter has been closed and deal with to the best of all abilities. Should a complainant continue to re-raise this issue or become persistent in their complaint to the point they may be deemed a ‘serial’ complainant, the school reserves the right to refuse to respond to his complaint. This may be because:

- The school has already taken all reasonable steps to resolve the complaint through all processes set out in this policy.
- The complainant has been given clear information and a statement around the school’s final position.
- The complainant is contacting the school repeatedly and making the same points each time.
- It is reasoned by the school that the complainant is trying to disrupt the daily running of the school or learners experience.
- The complainant is abusive, aggressive or provoking towards staff.
- The complainant makes personal or insulting remarks to a member of the staff.

Should the school wish to decline to investigate an unreasonable complaint, they may rely on the guidance from DfE for managing this and the response to the complainant.

Should a person’s behaviour give rise to concerns around their potential to harm others, physically or otherwise, on school premises

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Should a person’s behaviour give rise to concerns around their potential to harm others, physically or otherwise, on school premises, it is reasonable for the Head to inform the person by writing that they are barred from private school premises. Any person barred from school premises has the right to formally express their views on this through a letter to the Head or school. Should a person wish to appeal their barring from premises they may write directly to the C&SC to review this decision. Any decision to bar a person from school premises will be regularly reviewed in line with any new information.

If the complaint leads to any disciplinary action or a referral to a Statutory Authority, copies of the notes made during the investigation and the report of the investigation (together with any notes relating to the outcome) should be kept confidentially on the file of any person who is the subject of the complaint.

Anonymous summary notes of any complaint should also be kept on the complaints file. This will assist The PLACE Independent School in the process of monitoring and learning from complaints.

As soon as the management of the complaint has been brought to a satisfactory conclusion, the completed formal complaints form must be copied to the managing director. All paperwork relating to complaints and investigations including interview notes will be kept confidentially in line with Data Protection legislation and with specific reference to the confidentiality of those making complaints, and around those about whom complaints may have been made.

*School Proprietor:*  
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NB: This policy/procedure will be updated every two years or before if changes in conditions/legislation are applicable.

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