



## PURPOSE

It is intended that this policy shall be utilised when all informal methods of approach to a situation have failed, or a satisfactory solution has not been achieved.

In this respect, we have found that issues which may cause concern are better dealt with sooner rather than later. Situations may be prevented if both parents and school aim to contact each other at the onset of any problem.

## SCOPE

This Policy applies to all Trustees, Staff, Students, Parents and Guardians both current and prospective Students.

## UPDATE TO POLICY

CA , Campus Administrator – Changed to Lead CA

## POLICY STATEMENT

The object of this policy and procedure is to enable anyone (particularly parents of pupils at the School) who has a complaint relating to the school, to have it dealt with at an appropriate level, fairly and as quickly as possible after initial attempts to resolve in an informal way have failed.

It is a regulatory requirement for a school to have a complaints procedure. This procedure is designed to meet Part 7 of the regulatory requirements for independent schools.

Anyone wishing to use this procedure should feel free to do so, safe in the assurance of confidentiality referred to in paragraph 4.2 below, and the assurance that the proper use of this procedure will not prejudice the standing of the complainant or of any child of the complainant in the eyes of the school or its Trustees or other management.

A copy of this policy shall be made available on request to all parents or guardians of pupils and to parents or guardians of prospective pupils at the school.

At all stages a complainant shall have the right to be accompanied by another person during any interview or hearing.

If it becomes apparent at any stage that a complaint relates to a child protection issue, the complaint shall be dealt with under the school's Safeguarding / Child Protection Policy procedures which shall take precedence over this procedure, including obligations as to disclosure.

## PROCEDURES

### Timescales

The timescales noted below should be followed however it is understandable that some flexibility will be required and that timescales can be extended for example to carry out further investigation or to account for holiday or sickness absence.

### Stage 1 – Informal Stage

- 1.1 Initially a complaint should be made verbally on an informal basis to the Chief Executive Officer (Lead CA) of the School.
- 1.2 If the complaint relates to the Lead CA, the complaint should, initially, be made verbally to one of the Trustees of the School.
- 1.3 The Lead CA or Trustee shall give the complainant full opportunity to present and thoroughly discuss his/her complaint. The Lead CA or Trustee shall thoroughly investigate the complaint and consult with such other persons as may be necessary.
- 1.4 The Lead CA or Trustee shall give his/her response in writing to the informal complaint as quickly as possible and, in any case, within 10 days of the complaint being made to him.

### Stage 2 – Formal Stage

- 2.1 If the complainant is not satisfied with the response to the complaint dealt with at Stage 1 above, the complainant may within 14 days of the expiry of the 10 day period referred to in paragraph 1.4 above, make his / her complaint in writing to the Trustees who shall arrange a meeting of two Trustees who are independent and not involved in the complaint with the complainant. They will thoroughly investigate, discuss and consider the complaint and will make a response. After such consultation with others as may be necessary, the two Trustees shall give their response in writing to the complainant as quickly as possible and, in any case, within 14 days of the Trustees receiving the complaint in writing.
- 2.2 If a complainant wishes, they may by-pass Stage 1 and make their complaint in writing to the Trustees, to be dealt with under paragraph 2.1 as above.

### Stage 3 – Review Stage

- 3.1 If the complainant is not satisfied with the response to the complaint under Stage 2, the complainant may, within 14 days of the expiry of the 14 day period referred to in paragraph 2.1 above, make a written request to the Trustees for the complaint to be heard before a panel appointed by or on behalf of the proprietor. The panel shall consist of at least three people who were neither directly involved in the matters detailed in the complaint, nor involved in hearing the complaint at Stage 2. At least one of the panel shall be independent of the running and management of the school, and shall not be either a Trustee of Focus Learning Trust or a Trustee or Headteacher of another Trust or School which is affiliated to Focus Learning Trust. Another of the panel shall be drawn from a list of the Trustees for the time being of Focus Learning Trust and of other persons nominated by Focus Learning Trust as suitable persons to sit on complaint panel hearings.
- 3.2 The panel hearing shall be held as soon as reasonably possible and, in any case, within 14 days after the Trustees have received the written request for the panel hearing. The hearing shall be at a time and place which is reasonably convenient for the complainant, who may attend the hearing and be accompanied by another person.
- 3.3 The panel shall conduct its hearing in such manner as it sees fit and may ask questions and consider such evidence and hear the views of such persons as it sees fit. The panel shall allow the complainant full opportunity to present their case and

shall hear, investigate and adjudicate upon the complaint in a fair and judicial manner in accordance with the rules of natural justice.

3.4 The panel shall check any corroborative evidence and assess the credibility of the complaint. The panel shall take a confidential written note of its proceedings and may, at its discretion, ask the complainant to sign a copy of the note to signify their agreement to its accuracy.

3.5 The panel shall make known its findings and recommendations within 14 days of the hearing. A copy of the findings and recommendations will be provided to the complainant and the Trustees and the Lead CA of the School and, where relevant, the person complained about. The findings and recommendations shall be available for inspection on the school premises by the proprietor and the Headteacher.

3.6 The decision of the panel shall be final.

### **Record Keeping**

4.1 A written record will be kept of all complaints and the responses thereto and of whether the complaints are resolved at the preliminary stage or proceed to a panel hearing.

4.2 Subject to the obligations as to disclosure referred to in paragraph 1.6 above, correspondence, statements, records and other documents relating to complaints are to be kept confidential except where (1) the Secretary of State or a body conducting an inspection, under Section S109 of the Education Act required access to them.

4.3 The number of formal complaints registered under this procedure during the preceding school year is provided or is made available to parents of pupils and prospective pupils as required by the independent school regulations for example in the School Prospectus.

4.4 Ensure that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting a relevant inspection requests access to them.

### **CONTEXTUAL INFORMATION about Newry Campus relevant to the Complaints Policy and its implementation in the Campus.**

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### **ASSOCIATED DOCUMENTS**

The Complaints Policy is further supported by the following policies:

- Admissions
- Anti-Bullying Policy
- Behaviour Management
- Child Protection Policy and Child Protection and Safeguarding Procedures Handbook
- Data Protection Policy
- Equal Opportunities Policy
- Examination Policy and Handbook including specific Exam body guidance
- Parent Student Handbook

- Prospectus
- Public Interest Disclosure (Whistleblowing)
- Grievance and Disciplinary Policy
- Capability Procedure
- SEND Policy and Procedures
- Staff Handbook

## **LEGISLATION**

- The Education (Independent School Standards) (England) Regulations 2010
- Education Act 2002
- Children Act 1989

## **ISSUED BY**

Focus Learning Trust

Issue date: February 2016

Review date: February 2017

Version: 5

Signed by Chair of Board of Trustees: Graham Spencer

At a Trust Meeting on (Date):17th June 2016