



# ***Whole School Complaints Policy***

2022-2023

Academic year 2022/2023

Responsible: Admissions Department

## COMPLAINTS POLICY

Caxton College is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints from parents of registered pupils, or pupils themselves, to or against the school, so that any issues that arise can be dealt with as swiftly as possible.

Most parents have a positive relationship with school, but sometimes a problem may arise. This procedure will be used when dealing with general concerns or complaints; it is for parents, carers and pupils. All complainants will be treated seriously, courteously, where necessary with discretion, and given the time they need to be heard. It is important that complainants know that their concerns and complaints will be investigated fully and impartially.

All school staff will be made aware of the complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all complainants whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document.

For more information on our school's provision for protecting our pupils please read our child protection and safeguarding policy.

Concerns or complaints should be brought to the school's attention as soon as possible to enable a proper investigation to take place. Any matter raised more than 3 months after the incident being complained of (or where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless there are exceptional circumstances.

### Concerns or complaints

All parties need to be clear about the difference between a **concern** and a **complaint**.

**Concerns** are handled where possible, without the need for formal procedures. In most cases, the teacher, head of year, primary or secondary secretary will receive the first approach and may be able to resolve an issue immediately.

A **complaint** will go through the complaints procedure when initial attempts to resolve the issue have been unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further, or where the problem is serious enough to be dealt with as a complaint.

At each stage in the procedure all parties should keep in mind ways in which a concern or complaint can be resolved. The ability to consider the concern/complaint objectively and impartially is crucial.

Every concern is an opportunity for the school to revise policies and procedures.

### **General Guidelines and Principles**

1. **Complaints** made to the school will always be listened to and acted upon.
2. **Complaints** will be investigated thoroughly, fairly and promptly.
3. A senior member of staff will acknowledge any **complaint** made by parents within 5 working days, and a formal response to the complaint will be made within 5 days following this acknowledgement.
4. **Complaints** made by students will be dealt with by their Form Tutor/Class teacher or any member of the Primary or Secondary Leadership Teams.
5. **Complaints** made by parents concerning an employee of the College will be dealt with by a member of the PLT or SLT.
6. When the **complaint** is directed at a senior member of staff, the Vice Principal will deal with the matter directly.
7. When the complaint is against the Vice Principal, the Principal and other Board of Directors will be responsible for the process..
8. Complainants will not suffer as a result of a complaint.
9. When a complaint is made against a Host Family, the College reserves the right to arrange alternative accommodation for the pupil concerned whilst the complaints procedure is in progress.

### **When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach the primary or secondary office staff first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

### **Initial contact**

The following procedure is followed by staff when an initial concern/complaint is made:

1. Listen to, and record, in writing, basic details of the concern/complaint.
2. Explain the difference between concern and complaint to the complainant.
3. Concerns are passed to the appropriate person along with all notes taken during the initial conversation.
4. The appropriate member of staff organizes a meeting or speaks to the complainant to discuss their concern. Details of the meeting are recorded.
5. The member of staff decides upon action to be taken including who needs to be seen, what information is required, possible further interviews, decision on urgency of action and timescale to work to.
6. Where it is decided that there is a complaint, the member of staff will listen and record the basic details of the issue and explain that all complaints must be sent in writing using the complaints form on the parent profile. This complaint will then move to stage 1 or 2 of the procedure.
7. Any member of the Board of Directors will refer initial concerns/complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

### **Initial informal meeting**

Once a concern has been raised parents may be invited to attend an informal meeting with a member of staff or the headteacher/Vice Principal to discuss the concerns.

It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that parents understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that parental concerns are dealt with appropriately and efficiently but if an agreement cannot be reached, or parents are dissatisfied with the outcome of the meeting, a formal complaint should be made in writing to the headteacher using the complaints form found on the parent profile.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 5 school days.

### **Procedure Structure for formal complaints**

#### **Stage 1 - Formal Written Complaint to the Heads or Co-Heads**

When a complainant feels that their concern has not been dealt with as they would like, are unhappy with the outcome of the informal meeting or feel that the issue is serious enough that it warrants it, they can make a formal complaint in writing, using the form on the Family Area of the school app, to the Head of Primary or Co Heads of Secondary.

If the complaint is about one of the Headteachers it should go straight to Stage 2 of this procedure.

The written complaint should provide enough detail of the issues to allow the Headteachers to investigate and respond to the complaint. It should also set out what the complainant feels would resolve the complaint.

The complaint will be acknowledged within 2 working days of receipt, and a target date for providing a formal response will be given. This will normally be within 5 working days following acknowledgement.

If the complaint is against a member of staff, the headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports.

The headteacher will respond to the complainant in writing outlining their response to their concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline their right to take the matter further and the steps to be taken in the following stage (stage 2). This information can also be given personally at a meeting with the complainant

If the complaint is not escalated in 5 school days it will be deemed that the decision at Stage 1 is accepted and the complaint will be closed.

#### **Stage 2 - Formal Written Complaint to the Vice Principal**

The written complaint should explain the concern in sufficient detail and the steps that have led up to taking this course of action. The complainant should include the actions they feel would be necessary to resolve the complaint.

The complaint will be acknowledged within 2 working days of receipt, and a target date for providing a formal response will be given. This will normally be within 5 working days following acknowledgement.

The Vice Principal will carry out an investigation or instruct the Senior Leaders to carry out an investigation and depending on the nature of the complaint will report the matter to the Principal. Legal advice may be sought at this point.

The Vice Principal may request to meet the complainant to gain further information relevant to the complaint. Parents may be accompanied by one official advisor, if they so wish, to any meeting with the Vice Principal. In cases where an advisor will accompany parents the name and profession of the advisor must be submitted to the Vice Principal before the meeting.

Statements from witnesses will be collected where necessary and witnesses or other staff members may be called to any meeting with the complainants, at the Vice Principal's discretion.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Principal within 3 school days of the complaint being lodged against them.

The Vice Principal shall decide whether the complaint is upheld or not and, if so, is of a minor nature or a serious nature. In the light of the conclusions of the investigation the Vice Principal shall decide what actions to take in accordance with the school procedures.

The Vice Principal will usually respond to the complainant within 7 school days outlining their response to the concern, and any action that has or will be taken. The response will be given either verbally at a meeting or in writing. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline the right of appeal and how to start the appeal process.

If no request for an appeal is received within 7 school days, it will be deemed that the decision is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay).

### **Stage 3 - Appeal**

The complainant may make an appeal to the Board of Directors of Caxton College within 7 days of the receipt of the outcome of the original formal complaint from the school. The written complaint must set out the grounds for appealing the outcome of the formal complaint.

The Board of Directors will review the formal complaint with the school's legal advisor who was not involved in the earlier formal process. They will decide whether a formal panel hearing should be held. The Board of Director's decision should be communicated within 7 days from acknowledgement of receipt of the complaint. In the case of a panel hearing the Board of Directors will arrange the panel hearing within 21 days.

Should a Panel Hearing with the Board of Directors be held, the complainant will be informed of the time, date and venue of the hearing and they may choose to be accompanied by one independent official advisor if they so wish. The Vice Principal may attend such a meeting as a witness and be accompanied by an advisor.

The name and profession of any advisor accompanying the parents or the Vice Principal must be submitted to the panel no less than 7 days before the panel hearing.

If new facts emerge during the Panel Hearing, the Chair of the Panel Hearing should decide whether further investigation is required. If it is, the hearing should be adjourned and reconvened when the investigation is complete. A timeline and date for the recommencement of the hearing must be given to all parties concerned.

Following the conclusion of evidence the Panel should call an adjournment before reaching a decision and come to a clear view about the facts and, if they are disputed, decide on the balance of probability what version of the facts is true and if appropriate what measures apply.

A final decision including findings and recommendations will be made and communicated to the complainant (in writing) and to any person directly involved within the complaint within 7 days of the conclusion of the hearing.

### The Appeals Panel

The panel will be made up of members of the Board of Directors who were not directly involved in the earlier formal complaint. At least one member of the panel should be independent of the management of the school.

### Vexatious/persistent complaints

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the Complaint's Procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

If the complainant subsequently contact the school again about the same issue, the school can choose not to respond. The normal circumstance in which the school will not respond is if:

- the complainant is contacting the school repeatedly but making substantially the same points each time.
- the complainant refuses to follow the complaints procedures.
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience.
- that the complainant acts or communicates in an inappropriate way towards school staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing.

The school will ensure when making this decision that complainants making any new complaints are heard, and that the school acts reasonably.

Where a complainant is consistently unable to follow the Complaints Procedure, shows disruptive behaviour towards the school or acts inappropriately, it may be decided that they look for a school more in line with their educational philosophy as it is considered detrimental to all parties, and in particular to the student, when there is constant disagreement.

### Records, review and monitoring of complaints

Complaints are recorded in the Complaints section of the Pupil Area. Any correspondence statements and records will be kept securely and confidentially unless the College or Company is legally forced to share them with an agency or other body.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and the General Data Protection Regulations.

Caxton College will review and evaluate all complaints no matter how far they are taken, or what the outcome, to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of any complaints will be kept confidential.

### Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our whistleblowing policy.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's Code of Conduct.

### Recording conversations

It is not permitted to record a meeting without prior authorisation from the School. Individuals may only make recordings of meetings for their personal domestic use after authorisation has been granted. The General Data Protection Regulation (GDPR) and Data Protection Act 2018 do not apply to this activity.

Domestic use includes recordings made for the purpose of convenience, or for individuals to ensure they are clear about what was said later. This exemption applies even if the recording features information about third parties, such as other pupils. However it may not be used for any other purpose and may not be shared with any third parties.

### Contact details

Primary Office: + 34 96142 41 78

Secondary Office: + 34 96142 4174





Vice Principal's Office: + 34 96142 4172

**COMPLAINT FORM**

Your name:	Student name:
Your relationship to student:	Student year group:
Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Signature:	Date:
<b>For Official Use Only</b>	
Date Acknowledgement Sent:	Name of person who received complaint:
Name of Person Complaint Referred To:	
Actions taken:	