



COMPLAINTS PROCEDURE

At Education My Life Matters Independent School, we want our learners to be safe and to achieve. We recognise that parents, carers or guardians play an important part in making this happen. Co-operation between parents/carers, staff and directors leads to a shared sense of purpose and a good atmosphere in the school. Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

Level 1 – informal

Parents or carers should, in the first instance, make an appointment to speak to the Strategic Lead or Lead Teacher about the concern. It is best to resolve issues at this point.

Guidance on informal level 1:

- Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- The parent/carer should be offered an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.
- It is important for parents/carers to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.
- The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

Level 2 Informal

Parents, carers or guardians dissatisfied with the result of the discussions should ask for an appointment to meet with the Education Strategic Lead. If a resolution to the issue is proving difficult to find, the Education Strategic Lead can speak to a Director about the issue who may-be willing to offer informal intervention. However, there is no obligation on any Director to become involved at this level.

Guidance on informal level 2:

- It is always best to resolve issues informally at the earliest possible time however if the Parent/carer is not satisfied with the result of the talk with the Strategic Lead or Lead Teacher, they can ask for an appointment to meet with the Head Teacher.
- It is in everyone's interest, particularly the learner, for concerns and complaints to be sorted quickly and smoothly, also that discussions end on a positive note with no ill feelings.
- It is good practice for the Strategic Lead to write a letter to parents/carers summarising what has been agreed regarding the issue. The Strategic Lead may feel

that a Director's input would be helpful in bringing about a resolution, however there is no obligation on any Director to become involved at this level.

Level 3 – Formal Complaint Letter to Strategic Lead

Any issue that has not been resolved through the informal levels 1 and 2 can become an official complaint. Parents, carers or guardians wishing to move to level 3 **must write a formal letter of complaint to the Strategic Lead. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.** The Strategic Lead should consider the complaint and discuss a resolution with the complainant. The Strategic Lead should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

Guidance on level 3 formal:

The decision to take a formal complaint is a serious step and in consideration of future home/school relationships everyone concerned should seek to negotiate an agreement and concentrate on finding a satisfactory resolution.

Concerns or Complaints Specifically About the Strategic Lead, or Lead Teacher.

Any decision that the Strategic Lead makes as a result of the complaint, does not become a complaint about the Strategic Lead. If the complainant feels the complaint has not been resolved they should proceed to Level 4, 'Executive Board of Trustees Complaints Panel'.

If, a concern or complaint is specifically about the Strategic Lead, or Lead Teacher, and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Directors. The school will provide the Director's name and the complainant should write to the Director at the school address marking the envelope **'urgent, private and confidential'**. Directors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact independently sourced advisers for advice.

Level 4 – formal complaint requesting an Executive Board of Trustee Complaints Panel.

Complainants wishing to move to level 4 of the formal complaints' procedure will need to write a letter to the Director to request that an Executive Board Trustees Complaints Panel meet to hear the complaint. The formal complaint letter must be received within 10 school days after the last meeting with; the Strategic Lead, or Lead Teacher. The complainant should write to the Director at the school address marking the Envelope **'urgent and confidential'**. The letter will need to set out the complaint that had been formally discussed with the Strategic Lead or Lead Teacher, and show why the matter has not been resolved.

Time Scales:

- Receipt of complainant's letter to be acknowledged within **5 school days**
- Executive Board of Trustees' Panel meeting to take place within **15 school days** (unless this goes into school holidays), written documentation to be sent 5 school days before meeting. Board of Trustees' Panel Members and member decision to be communicated to all concerned, complainant and Strategic Lead as soon as possible but within **10 school days of meeting**.

Before the meeting:

The Director should appoint a clerk to the Trustees' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of Board of Trustees to meet within 15 school days of receipt.

It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise a Panel Meeting. In such instances the matter should be dealt with within 10 school days of the school reopening.

The Strategic Lead should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Executive Board of Trustees' Complaints Panel members, the complainant and the Strategic Lead (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and the Strategic Lead will be invited to attend the Executive Board of Trustees' Complaints Panel meeting to give a verbal statement in support of their documentation. Each person can bring someone to support them if they wish.

At the meeting:

The complainant and the Strategic Lead (or their representative) should provide all the relevant information they wish, and the Executive Board of Trustees' Complaints Panel members should clarify any points. After the complainant and the Strategic Lead (or their representative) have provided all their information, the chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Executive Board of Trustees' Complaints Panel will write to all those concerned within 10 school days to explain their decision, along with any recommendations to resolve the problem as appropriate. The decision of the Executive Board of Trustees Complaints Panel is final.

The decision of the Executive Board of Trustees Complaints Panel will not be investigated. If, however, the complainant feels that the School and Executive Board of Trustees have not followed the school's complaints procedure correctly, they can contact whoever made the referral for the child to attend Education My Life Matters Provision for assistance.

Chapter 3, paragraph 14 of a Guide to the Law for School Governors states:

'Under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly.

However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right'

Guidance on level 4 formal:

Before the meeting:

- The formal complaints letter should be passed to the Director within 5 days.
- Members of the Executive Board of Trustees' Complaints Panel should have no prior knowledge of the complaint.

At the meeting:

The Complaints Panel must be made up of at least three members and a clerk. Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.

Everyone attending should be in the room at the same time, consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.

The clerk should take notes of the meeting, listing who is present; EBTs, stating who is the Chair of the Complaints Panel, Education Strategic Lead (or his/her representative) and any other members of school staff, Parents and anyone accompanying them e.g. friend.

The Chair of the Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.

People present should introduce themselves stating their reason for being at the meeting.

The chair of the Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why they feel the issue has not been resolved. The Complaints Panel members can ask questions to make sure they understand the issue from the parent's/carers point of view.

The chair of the Complaints Panel should request a verbal statement from the Strategic Lead or Lead Teacher (or his/her representative) in support of their written account of the complaint and the steps taken to resolve the issue. The Complaints Panel members can ask questions to make sure they understand the issue from the Strategic Lead's point of view.

The members of the Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.

The chair of the Complaints Panel must ask the complainant and the Strategic Lead (or his/her representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.

When the Complaints Panel members understand all the issues, the Chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Complaints Panel members will discuss the issues in private and the clerk remains to record the decision.

The Panel members will need to consider the information, come to a decision and Make recommendations to resolve the issue whilst considering the best interests of the learner.

When the Panel have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting.

The decision of the Complaints Panel is final.

Once a Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of the Complaints Panel should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the school's internal disciplinary procedures. The details of such an investigation will remain confidential.

Vexatious Complainants:

It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone may have made a vexatious complaint in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered on its own merit, to establish whether the complaint is vexatious or genuine. There is no way of avoiding evaluating each complaint.

(See Appendices 1-2 for forms)

Appendix 1

SCHOOL COMPLAINTS PROCEDURE – LEVEL 3 FORMAL	
IN LINE WITH THE SCHOOL'S POLICY ON COMPLAINTS PLEASE COMPLETE THE FORM AND RETURN TO THE SCHOOL'S ADMIN OFFICE WHO WILL ACKNOWLEDGE RECEIPT AND EXPLAIN WHAT ACTION WILL BE TAKEN	
DATE	
LEARNER'S NAME	
RELATIONSHIP TO LEARNER	CONTACT ADDRESS POST CODE TELEPHONE EMAIL

PLEASE GIVE DETAILS OF YOUR COMPLAINT

WHAT ACTION, IF ANY, HAVE YOU ALREADY TAKEN TO TRY AND RESOLVE YOUR COMPLAINT?

(Who did you speak to and what was the response?)

WHAT ACTIONS DO YOU FEEL MIGHT RESOLVE THE PROBLEM AT THIS STAGE?

ARE YOU ATTACHING ANY PAPERWORK? IF SO, PLEASE GIVE DETAILS.

SIGNATURE	
DATE	
OFFICIAL USE	
DATE ACKNOWLEDGEMENT SENT	
BY WHOM	
COMPLAINT REFERRED TO	
DATE	

Appendix 2

SCHOOL COMPLAINTS PROCEDURE – LEVEL 4 FORMAL	
IN LINE WITH THE SCHOOL’S POLICY ON COMPLAINTS PLEASE COMPLETE THE FORM AND RETURN TO THE CHAIR OF COMPLAINTS’ PANEL WHO WILL ACKNOWLEDGE RECEIPT AND EXPLAIN WHAT ACTION WILL BE TAKEN	
DATE	
LEARNER’S NAME	
RELATIONSHIP TO LEARNER	CONTACT ADDRESS POST CODE TELEPHONE EMAIL
PLEASE GIVE DETAILS OF YOUR COMPLAINT	

WHAT ACTION, IF ANY, HAVE YOU ALREADY TAKEN TO TRY AND RESOLVE YOUR COMPLAINT?

(Who did you speak to and what was the response?)

ARE YOU ATTACHING ANY PAPERWORK? IF SO, PLEASE GIVE DETAILS.

SIGNATURE	
DATE	
OFFICIAL USE	
DATE ACKNOWLEDGEMENT SENT	
BY WHOM	
COMPLAINT REFERRED TO	
DATE	