



Complaints Policy

Clarity Independent School

Bridge Barn Farm
Woodhill Road
Sandon
CM2 7SG

Written by Debbie Hanson
Head Teacher and Proprietor

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Name: Debbie Hanson

To be read in conjunction with the following policies:

- Staff Disciplinary Policy and Procedure
- Grievance Procedure
- Single Equality Policy (aims to promote all other forms and strands of **equality** that are relevant to life in schools. E.g. Race, gender, disability, sexuality, age and religion/belief; known as the six **equality** strands. We aim to integrate **equality** into the school's core priorities and functions.)
- SEN and Inclusion Policy
- Data Protection Policy

Introduction

The majority of issues raised by parents/carers, the community or pupils are concerns rather than complaints. Clarity Independent School is committed to taking concerns *seriously* at the *earliest* stage in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow our formal complaints procedure.

The aim of Clarity Independent School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

If you do not understand any part of this policy, please do not hesitate to contact the Head Teacher (contact details are at the end of this document). Your complaint will then be investigated fully, ensuring all relevant facts are taken into consideration.

This policy has been written in accordance to the 'Manner in Which Complaints are Handled' Standard in Part 7, Section 33 of the Education, England, The Education (Independent School Standards) Regulations 2014 made by the Secretary of State for Education in exercise of the powers conferred by sections 94(1) and (2) and 166(6) of the Education and Skills Act 2008 (1). For Independent Schools, this standard is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented, which deals with the handling of complaints from parents of pupils effectively and in the following ways, (as detailed below.)

General Principles

- This procedure is intended to allow you to raise a concern or complaint relating to Clarity Independent School.
- Clarity Independent School has adopted this procedure for complaints from people who are parents/carers of pupils attending our school at the time the complaint is made, or from people who are accessing the services of the School at the time the complaint is made. It does not cover failure to admit such pupils.
- The School will usually also follow this procedure when dealing with complaints from others (for e.g. pupils) but reserves the right to substitute this procedure for an alternative process where it is appropriate to do so (for example Child Protection).
- Complainants will be informed about the procedure that will be used to consider their complaint as soon as possible after their complaint is received by the School.
- The aims of the procedure are:
 - to deal with any complaint against the School or any individual connected with it by following the correct procedure
 - to deal with all complaints thoroughly and in a timely manner and by being open, honest and fair when dealing with the complainant

Understanding This Procedure

- In order to investigate your complaint as fully as possible, we have implemented a 4-staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2.
- We expect our members of staff to be addressed in a respectful manner and for communication to remain appropriate at all times. The procedure under Part 2 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the Head Teacher at Clarity Independent School as soon as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered. However, we may make exceptions to this.



- If, at any stage, the School believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Head Teacher or Deputy Headteacher may write to you to refuse to consider the concern or complaint under this procedure and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this procedure.
- An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.
- If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.
- A written record will be kept of all formal complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State under Section 109 of the 2008 Act or where disclosure is required in the course of a school inspection or under other legal authority.

In this procedure “school days” excludes weekends, bank holidays and school holidays.

Confidentiality

In order for complaints to be resolved as quickly and fairly as possible, Clarity Independent School requests that complainants do not discuss complaints publicly or via social media. Complaints will be dealt with confidentiality for those involved and we expect complainants to observe confidentiality also.

Definitions

A ‘concern’ may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

A Complaint may be defined as *‘an expression of dissatisfaction, however made, about actions taken or a lack of action’*.

(DfE Best Practice Advice for School Complaints Procedures January 2016 p4).

The Procedure: Part One

Stage 1 – Raising a Concern

We value informal meetings and discussions and encourage parents to approach teaching staff directly with any concerns they may have about pupil-related matters or for an administrative issue, to approach the School Office Manager. Contact may be by letter, by telephone, by email or in person by appointment. We aim to resolve all issues with open dialogue and mutual understanding. Concerns will often generate an immediate response, which will resolve the concern.

On some occasions, the concern may require investigation or discussion with others, in which case you will receive an informal but informed response within a maximum of 10 working days. The vast majority of concerns will be satisfactorily dealt with in this way. If you are not satisfied with the outcome at this stage, please proceed to Stage 2.

Stage 2 - Registering a Formal Complaint

If your concern or complaint is not resolved to your satisfaction at the informal stage or you wish the complaint to be dealt with immediately as a formal complaint, you should put your complaint in writing to the Head Teacher of the School.

- If your complaint is about the Head Teacher, your complaint should be sent firstly to the Deputy Head teacher, or if preferable, to the:

HR Consultant at Peninsula Business Support www.peninsula-uk.com
The Peninsula, Victoria Place, Manchester M4 4FB

Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It very important that you include a clear statement of the actions that you would like the academy to take to resolve your concern.

Your complaint will be acknowledged within 5 school working days of receipt. In many cases this response will also report on the action the school has taken to resolve the issue. You may be invited to a meeting to clarify your concerns. Where possible this meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible, including what you think the school could have done to resolve the issue. You may be accompanied by one other

person, such as a relative or friend (who should not be legally qualified) to assist you in explaining the nature of your concerns.

If you are not satisfied with the outcome at this stage, or you decline the invitation to a meeting or the complaint cannot be resolved through meeting, arrangements will be made for the matter to be formally investigated.

If necessary, witnesses will be interviewed and statements taken from those involved. Once all the relevant facts have been established as far as possible you will be provided with a written response to the complaint, including details of what action the academy will take to resolve the complaint and what to do if you are still not satisfied with the outcome. Where possible this will be within 15 school days of receipt of the complaint.

Stage 3 – Contacting the HR Consultant / Complaints Panel Hearing Stage

- If you are dissatisfied with the decision of the Head Teacher under the (Stage 2: Registering a Formal Complaint) Formal Stage, you may request that a Complaints Panel at the:

Peninsula HR Consulting Company

is convened to reconsider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and 2. To request a hearing before the Complaints Panel, you should write to the HR Consultant at Peninsula Business Support, www.peninsula-uk.com, The Peninsula, Victoria Place, Manchester M4 4FB within 10 school days of receiving notice of the outcome of the Formal Stage.

Your request will be acknowledged within 5 school days.

Every effort will be made to enable the hearing to be arranged within 15 school working days of receipt of your letter.

The Hearing

The aim of the hearing is to resolve the complaint and to achieve reconciliation between Clarity Independent School and the complainant.

Any documents from either yourself or the Head Teacher to be considered by the panel, and the names of any witnesses who might be called must be received by the clerk at least 5 working days before the meeting.

At least 3 working days before the meeting date the Clerk will circulate to the members of the Complaints Panel, the complainant, the Head Teacher and at the sole discretion of the Complaints Panel, any person requested by the Complaints Panel to attend the meeting:

- The agenda of the meeting of the Complaints Panel
- The complainant's letter notifying the Head Teacher that they wish to proceed to Stage 3 of the Complaints procedure.
- The original formal complaint letter
- The letter from the investigator issued under Stage 2 of the Complaints Procedure
- Any relevant documents referred to or relied on at any earlier stage of the Formal Procedure
- Any relevant documents on which the Complaints Panel members will seek to rely at the Complaints Panel meeting.

In addition, the Head Teacher will copy relevant papers to any members of staff named in your complaint.

You will be invited to attend the meeting and may bring with you one other person such as a friend or relative, who should not be legally qualified. (If you intend to be represented you will need to advise the Clerk to the Complaints Panel at Peninsula prior to the meeting). The Head Teacher will attend and may also bring a representative. Other members of staff may be asked to be present; they also have the right to bring a representative.

The hearing will be conducted by a panel of at least 3 people who are not directly involved in the matters detailed in the complaint. This will comprise of two members of staff from the School and one other person who is independent of the management and running of the School (i.e. outside the school's workforce, not a

governor or the proprietor, not otherwise involved with the management of the School). Where it is not possible to convene a panel of people who have not previously been involved in the complaint, staff from other local schools may be appointed to sit on the Panel. The Clerk to Peninsula HR Consultancy will also attend the hearing in order to keep a record of the hearing and the decision reached.

Unless otherwise stated, the procedure for an appeal is as follows:

- The complainant and Head Teacher will enter the hearing together
- The Chair of the Review Panel (Peninsula) will introduce the panel members and outline the process
- The complainant will explain the complaint
- The Head Teacher and committee members will question the complainant
- The Head Teacher will explain the School's actions
- The complainant and the committee members will question the Head Teacher
- Witnesses may be called (subject to the approval of the chairman) and all parties will have the right to question all the witnesses.
- The complainant will sum up their complaint
- The Head Teacher will sum up the School's actions
- The Chair of the panel will explain that both parties will hear from the committee within 5 school days
- Both parties will leave together while the panel decides
- The Clerk will stay to assist the panel with its decision making

If either you or the school representatives do not attend the meeting, the chairperson has discretion to proceed or to adjourn at any stage.

The Outcome

After the hearing, the Panel; will consider their decision and inform you and the Head Teacher of their decision in writing within 5 school days. The letter will set out the decision of the Panel together with the reasons underpinning that decision.

The Panel can:



- Request further information from you and/or the School to assist them in making their decision
- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the School's systems or procedures to ensure that problems of a similar nature do not reoccur

Stage 4 - Referral to the Education & Skills Funding Agency (ESFA) (See ESFA Customer Commitment attachment)

If you are dissatisfied with the decision of the Review Panel, you are entitled to refer your complaint to the Education & Skills Funding Agency who have limited powers to review the School's handling of the complaint in accordance with ESFA's 'Procedure for dealing with complaints about Schools'. At the time of writing this procedure, the ESFA procedure and the ESFA school complaints form are available at www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school

Records of Complaints

A written record will be kept of all complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.

Further complaints involving DfE (Department for Education)

The Department for Education (DfE) cannot investigate individual complaints about private (Independent) schools. But it has certain powers as a regulator if the school is not meeting standards set by DfE for:

- education
- pupil welfare and health and safety
- school premises
- staff suitability

- making information available to parents
- spiritual, moral, social or cultural development of students

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.

DfE can ask the school inspectorates to take minor complaints into account when the school is next inspected.

The Procedure: Part Two

Unreasonably Persistent Complainants / Unreasonable Complainant Behaviour

There are rare circumstances where we will deviate from the Complaints Procedure set out in Part One. These include, but are not necessarily limited to:

- where the complainant's behaviour towards staff or members of the Complaints Panel is unacceptable, for example, is abusive, offensive or threatening
- where, because of the frequency of their contact with the School, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the School
- where the complainant's complaint is vexatious and/or has patently insufficient grounds
- where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the School.

In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- restrict the complainant's access to the School e.g.:
 - requesting contact in a particular form (for example, letters only)
 - requiring contact to take place with a named person only
 - restricting telephone calls to specified days and times
 - banning the complainant from the School's premises
- conduct the Review Panel on the papers only i.e. not hold a hearing
- refuse to consider the complaint and refer the complainant directly to Stage 4.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff or members of the Complaints Panel, we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.



Summary of Complaints Procedure

Stage 1: Informal Concern

Complainant bring complaint to the attention of:



School Office Manager -
In the case of Administrative
issue



Member of staff directly
by email, phone, or in
person by appointment
for pupil matters



Receive immediate response (or within 10 school days if necessary for
school to consult witnesses or obtain statements)

Resolved



No further action required

Unresolved



Stage 2

Stage 2: Formal Written Complaint

Concerning Head Teacher



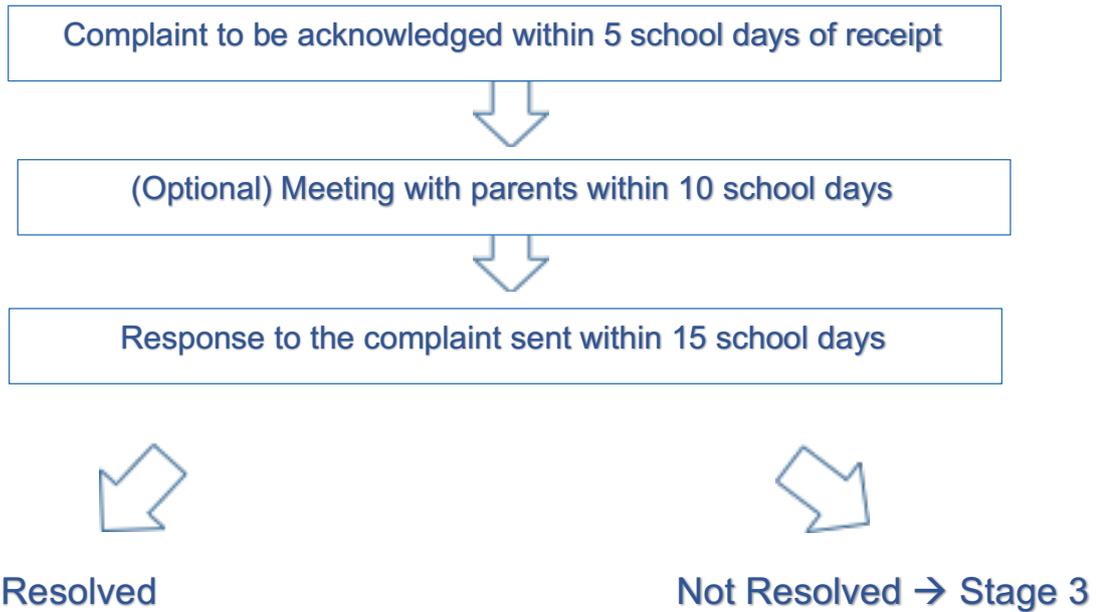
Write to:
HR Consultant
Peninsula Business Services Ltd
The Peninsula
Victoria Place
Manchester
M4 4FB
Tel: 0161 834 2772

Concerning other issue

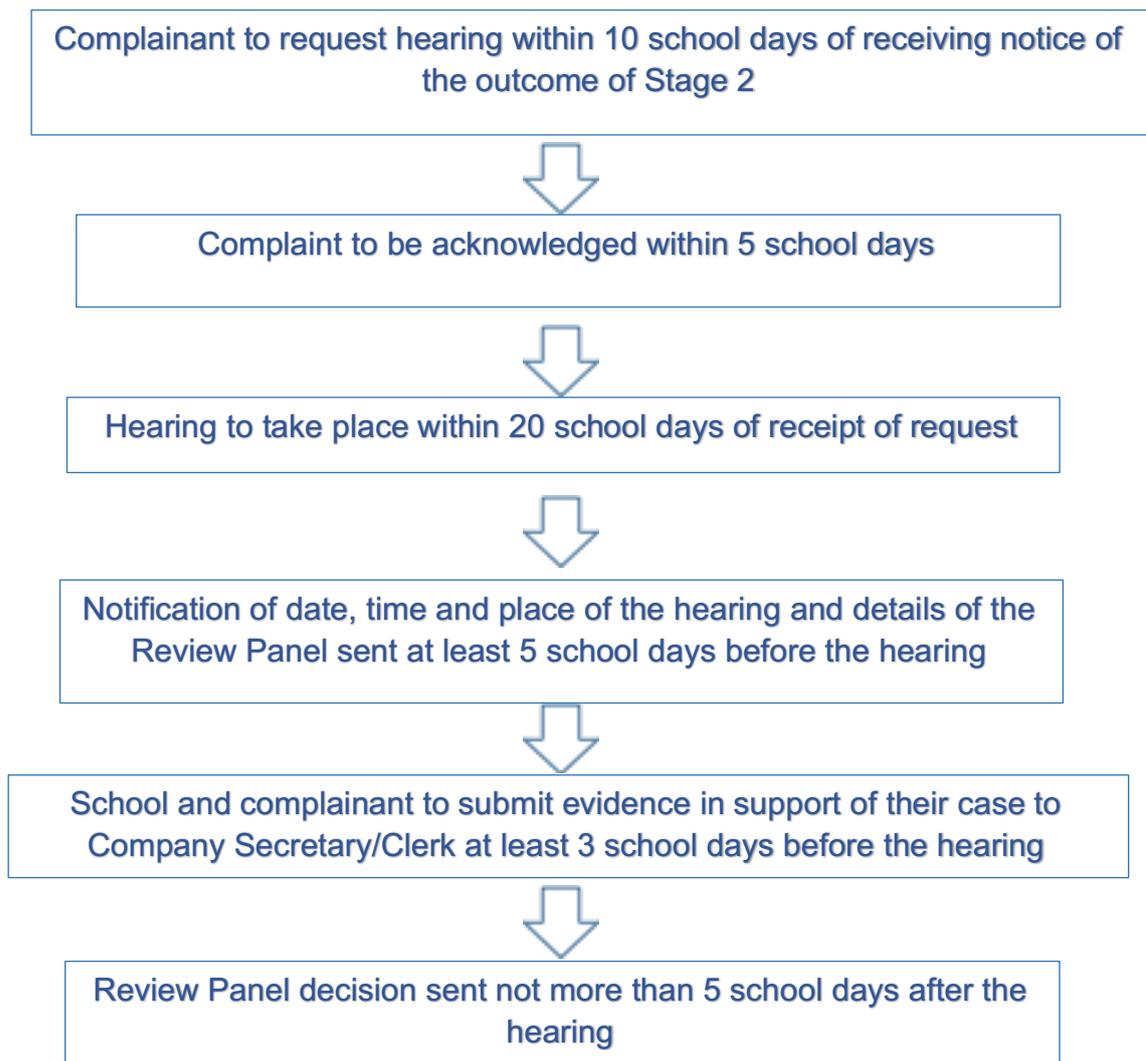


Write to Head
Teacher





Stage 3: Referral to Review Panel





Stage 4: Referral to Education and Skills Funding Agency

If you are dissatisfied with the decision of the Review Panel, you are entitled to refer your complaint to the Education & Skills Funding Agency.

www.education.gov.uk/schools/leadership/schoolperformance/b0021224_0/making-complaint-school

Contact Details

Informal and Formal Complaints

Clarity Independent School
Bridge Farm Barn
Woodhill Road
Sandon
CM2 7SG

Referral to Review Panel

HR Consultant
Peninsula Business Services Ltd
The Peninsula
Victoria Place
Manchester
M4 4FB
Tel: 0161 834 2772

ESFA customer commitment

What we do: The Education and Skills Funding Agency (ESFA) is accountable for funding education and skills for children, young people and adults. The ESFA is an executive agency of the Department for Education.

Our customer experience vision is to continuously improve the services we offer in the pursuit of excellence.

We aim to help our customers to be independent users of our services by providing clear, accurate information and guidance through all of our channels. We will consult, listen and make improvements, always being realistic and open about what we can and cannot do.

| | What | How |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Understand | <ul style="list-style-type: none"> • your needs and how we can deliver efficiently and effectively for you, to achieve this we need to understand: <ul style="list-style-type: none"> ○ you and your role ○ your organisation and your colleagues ○ our role in supporting you ○ your experiences in dealing with us | <p>We will do this by:</p> <ul style="list-style-type: none"> • carrying out regular customer research • coordinating our research across the Agency so we don't keep asking you the same questions • testing and validating our understanding of your needs with you • designing our services around you and not around our internal organisation and processes |
| Connect | <ul style="list-style-type: none"> • with you via the most effective channels, whilst working with you on continually improving our digital channels enabling you to find answers your questions quickly and easily | <p>We will do this by:</p> <ul style="list-style-type: none"> • providing high quality channels for you to interact with us |

| | | |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • with you in a timely, clear and accurate way • with you as one team, following your request through to resolution | <ul style="list-style-type: none"> • providing clear, comprehensive and accurate information and guidance across all of our channels • continuing to invest in our digital channels enabling you to increasingly find answers yourself • targeting and tailoring our communications and content to make it relevant and easy to find |
| Focus | <ul style="list-style-type: none"> • on keeping your needs reviewed and at the heart of everything we do • on continually improving our services in the pursuit of excellence • on giving you high quality responses within published timeframes • on sharing learnings across our teams to increase the efficiency and effectiveness of our services | <p>We will do this by:</p> <ul style="list-style-type: none"> • making clear our commitment to you in delivering our services • ensuring our understanding of your user needs is current and comprehensive • implementing services which join up your user needs end to end • putting in place metrics which measure the effectiveness and efficiency of the services we provide and highlight opportunities for improvement |
| Improve | <ul style="list-style-type: none"> • by making it easy for you to tell us about the service we provide • by listening to you and acting on your feedback promptly | <p>We will do this by:</p> <ul style="list-style-type: none"> • providing tools to capture your feedback in a timely way • analysing your feedback and translating it into actionable insight |

| | | |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • by monitoring and measuring the effectiveness and efficiency of the services we offer and embedding a culture of continuous improvement | <ul style="list-style-type: none"> • demonstrating that we are listening to you through our actions and behaviours • differentiating dissatisfaction with our service from dissatisfaction with the outcome • consulting with you on proposed changes to our services before implementation |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

What we ask of you:

- Check GOV.UK first. We aim to provide comprehensive information and guidance on all of our services and the answers to all frequently asked questions.
- Make sure we always have your accurate contact details.
- Treat our staff as you would like us to treat you. We will always be professional and polite.
- Provide us with feedback at the time of the event.



Complaints Log

| Date | Complaint method (email / tel / letter) | Received by (initial) | Formal / informal? F / I? | Brief details (no names, initials only) | Person allocated to action | Action taken | Date and initial |
|------|-----------------------------------------|-----------------------|---------------------------|-----------------------------------------|----------------------------|--------------|------------------|
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