

IF COMPLAINTS POLICY & OVERVIEW (FOR MEMBERS OF THE PUBLIC)

Reviewed: Principal/SMT July-Sept 2023 (Every 2 years)

Ratified by Board: Sept 2023

Full Review date: Autumn Term 2025

EDI Assessment: SSET does not currently identify any EDI impact of this policy; should new information come to light, this will be considered at the next review

Introduction

The Sheiling Ringwood (TSR) respects the right of members of the public to report any concerns they may have regarding TSR's provision of services or, if they deem it necessary, to make a complaint. If a member of the public does have a complaint, they can expect it to be treated by TSR in accordance with this procedure.

The procedures outlined in this policy do not apply to complaints from parents/carers of current students at TSR for which there is a separate policy.

TSR aims to:

- Deal with complaints promptly;
- Resolve a complaint by informal means if possible;
- Ensure that a thorough investigation is carried out; and
- Provide redress where appropriate.

TSR sets high standards and whilst we always strive to get things right first time, we recognise that complaints can be a valuable part of quality improvement. We will deal with complaints fairly and effectively.

TSR will make this complaints procedure available on its website. It will ensure that anyone who requests it is sent a copy of this document and the details of the number of complaints registered under the formal procedure during the preceding academic year will be published on our website also. We discourage complaints being made anonymously because this hinders the investigation process and makes it difficult for us to provide a response or resolution. However, we may consider anonymous complaints, but this is likely to be on a more limited basis than would otherwise be possible.

What is a Complaint?

A complaint is an expression of dissatisfaction by a member of the public. A complaint may be made about an individual member of staff, a specific department or about TSR as a whole. All complaints will be treated impartially and confidentially. Any individual involved in the complaint will not be responsible for investigating or responding to the complaint.

Expectations of the Complainant

The complainant will endeavour to:

- Inform TSR of their complaint in full as early as possible
- Co-operate with TSR staff investigating their complaint

- Seek a resolution to their complaint in collaboration with TSR and
- Treat all members of staff involved in the complaint with respect and not act unreasonably at any time

Complaints should be lodged within a reasonable time frame. TSR will not consider complaints lodged more than one month after the matter that gave rise to the complaint except in exceptional circumstances.

Recording Complaints

TSR will keep a written record of all complaints and grievances and at what stage of the procedure they are resolved. TSR will keep records of the following information:

- Date when the complaint/grievance was raised
- Names of member of public
- Description of the complaint/grievance
- Records of all the investigations
- Witness statements
- Name of staff handling the issue at each stage
- Any action taken by TSR as a result of the complaint
- Copies of all correspondence on the issue

We will handle any information received confidentially (information will only be shared with those who need to know).

Stage 1 – Informal Complaint

- 1.1 If a member of the public has a complaint, they should raise this with the Principal in writing.
- 1.2 The complaint will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.
- 1.3 TSR's aim is to complete the first stage of the procedure within 15 working days of receipt of the complaint if the complaint is lodged during term time and as soon as practicable during holiday periods.
- 1.4 If the complaint is against the Principal, the Chair of the Board of Trustees will seek to investigate and resolve the complaint as above.

Stage 2 – Formal Complaint

- 2.1 If the complaint cannot be resolved informally, then the complainant must put their complaint in writing to the Clerk to the Board of Trustees within 5 working days of receiving the outcome of the informal complaint, stating the desired outcome and the grounds of appeal. The Chair of the Board of Trustees will then decide, after considering the complaint, the appropriate course of action to take.
- 2.2 The Chair of the Board of Trustees (or nominee) may meet or speak to the complainant, to discuss the matter. Every attempt will be made to reach a resolution at this stage.
- 2.3 It may be necessary for the Chair of the Board of Trustees (or nominee) to carry out further investigations.
- 2.4 The Chair of the Board of Trustees (or nominee) will keep written records of all meetings and interviews held in relation to the complaint.

- 2.5 Once the Chair of the Board of Trustees (or nominee) is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made. The complainant will be informed of this decision in writing usually within 15 working days of the receipt of the formal complaint during term time and as soon as practicable during holiday periods. The Chair of the Board of Trustees (or nominee) will also give reasons for their decision.
- 2.6 The Chair of the Board of Trustees (or nominee) can:
- Dismiss the complaint in whole or in part;
 - Uphold the complaint in whole or in part;
 - Recommend changes to the Board of Trustees to ensure that similar issues do not recur.

Unreasonable Complaints

A complaint may be regarded as unreasonable if:

- The complaint breaches the Code of Conduct Policy for parents, carers and members of the public
- The complaint raised is not within the scope of the TSR formal complaints procedure
- The basis and / or scope of the complaint is changed during the investigation
- More than one complaint is raised in relation to a particular circumstance that has previously been investigated as part of any other complaint and has been concluded
- The complainant chooses not to co-operate with the process, hindering the completion and / or outcome of the investigation
- The complainant dictates the intended outcome of the complaint, which is not a feasible or realistic outcome for TSR
- The complainant dictates the timescales, individual responses to additional items raised and / or dictates the actions they expect TSR to take as a result
- The complainant restricts the process by unnecessarily contacting staff members in the organisation during the process, impacting the parameters of the investigation
- The complainant makes any unjustified requests, including replacement of investigators in an attempt to alter the complaint outcome
- The complainant acts maliciously, uses threatening behaviour or violence, uses discriminatory or offensive language or raises complaints they know not to be true
- The complainant makes any defamatory statements about staff, or the provision, either verbally, or in writing, including publishing the aforementioned in any press release or on any social media platforms

Where, at any stage, a complaint is deemed by the Principal (or Chair of the Board of Trustees, where relevant) to be unreasonable, TSR may take any of the following actions:

- Implement a sanction pursuant to the Code of Conduct Policy for parents, carers and members of the public
- Implement a limited communications strategy;
- Advise that a third party act on the complainant's behalf; and/or
- Notify the complainant that the complaints procedure will not be implemented and that there will be no further response to their complaint.

Where aggression or abusive behaviour has been used, TSR may:

- Implement a sanction pursuant to the Code of Conduct Policy for parents, carers and members of the public
- Ask the complainant to leave TSR's premises;
- Inform the police; and/or
- Bar them from being on TSR's premises.

Further action

If, following the formal procedure, the complainant remains dissatisfied and attempts to reopen the same or similar issues, the complaint will be viewed as serial or persistent. The Chair of the Board of Trustees will inform them in writing that all stages of the complaints procedure have been completed and that the matter is now closed. TSR will be unable to make any further responses and any contact received in regard to the complaint will be disregarded.

If the complainant wishes to take matters further, they may refer their concerns in relation to TSR to the following government agencies:

- Care & Quality Commission (CQC), Citygate, Gallowgate, Newcastle-upon-Tyne, NE1 4PA
- Department for Education (the DfE), Piccadilly Gate, Store Street, Manchester, M1 2WD. The DfE will not investigate individual complaints, but it has certain powers to intervene if it considers a school/college is not meeting standards in relation to: education; student welfare and health and safety; and school premises amongst other matters
- Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
- Local Government and Social Care Ombudsman – Tel: 0300 061 0614

Review

The Principal will monitor the nature and frequency of formal complaints.

This policy will be evaluated by the Board of Trustees in the light of complaints made and their resolution in order to contribute to TSR improvement.