



The Bridge School

Complaints Policy

February 2014



1. Introduction

- 1.1 This policy is designed to meet the schools statutory obligation to establish a complaints procedure and to publicise that procedure. References to 'school' throughout this policy encompass both the on-site Bridge provision and the alternative provision commissioned by the Bridge School.
- 1.2 The intention of this procedure is to establish a clear and transparent process that will enable all complaints to be dealt with as quickly and efficiently as possible. The length of time that this takes will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, all complaints should be settled within a period which is reasonable in the circumstances.
- 1.3 This Policy is for members of the Management Committee, the staff team and service users, including students and families.
- 1.4 This procedure takes into account current Department for Education guidance from August 2014*
- 1.5 All references to working days refer to days on which the school is open to pupils and for staff training days.

2. Scope of the Procedure

- 2.1 This procedure covers all complaints against the school by external persons/parties which do not have an alternative statutory avenue of appeal or complaint. Where complaints make allegations of misconduct against members of staff this procedure may be superseded by use of the staff disciplinary procedure or other appropriate staffing procedure, at any time or following recommendations at the conclusion of the complaints process.
- 2.2 Employees of the school (and ex-employees who wish to raise an issue relating to their former employment) cannot use this procedure but, where necessary, should raise concerns via the appropriate staffing procedure, full details of which are available from the school.

3. General Principles

- 3.1 All complaints will be dealt with in a transparent way and as quickly as is reasonably practicable. Complainants will be kept informed during the investigation of their complaint and of the outcome, except where this is confidential, e.g. in the case of a staff disciplinary process. Every effort will be made to resolve complaints in a non-confrontational and informal way.
- 3.2 The timescales within this procedure will be adhered to as far as is reasonable practicable. Where this is not possible the complainant will be informed, within the specified timescale, as to why this is the case, and given a revised timescale for dealing with the complaint.
- 3.3 The Management Committee will ensure that they have appropriate arrangements for recording complaints and the way in which they are resolved. Further, that they will regularly (at least annually), monitor the nature and level of complaints, so as to best ensure the effectiveness of the procedure, and consider any underlying issues the school may need to address, including whether specific actions identified as outcomes of complaints have been addressed.

4. Resolving Complaints

- 4.1 At each stage in the procedure the school will consider ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur;
 - an explanation of the steps that have been taken to ensure that it will not happen again;
 - An undertaking to review school policies in light of the complaint.
- 4.2 At each stage complainants will be asked to state what actions they feel might resolve the issue. An admission that the school could have handled the situation better is not the same as an admission of negligence.

5. Frivolous or Vexatious Complaints

- 5.1 The Office of the Independent Adjudicator has defined frivolous or vexatious complaints as follows:
- Complaints which are obsessive, persistent, harassing, prolific, repetitious;
 - Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
 - Insistence upon pursuing meritorious complaints in an unreasonable manner;
 - Complaints which are designed to cause disruption or annoyance;
 - Demands for redress which lack any serious purpose or value.
- 5.2 An 'unreasonable manner' may include situations where the complainant's frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the Head teacher and school to meet the needs of all pupils equitably.
- 5.3 Where the Head teacher, and/or Chair of Management Committee, judges a complaint to be frivolous or vexatious, having considered all the relevant circumstances, s/he should take appropriate action which may include rejecting the complaint and/or restricting contact between the complainant and the school.
- 5.4 The Head teacher or Chair of Management Committee as appropriate should write to the complainant and explain this decision and the reasons for it, and what action will follow.
- 5.5 Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure the Chair of Management Committee has the right to inform him/her that the procedure has been exhausted and the matter is closed.

6. Stages of the Procedure

- 6.1 Many concerns and minor complaints can be resolved quickly and informally. There are many occasions where issues are resolved immediately through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances every effort will be made by the school to have a full discussion with the complainant before moving into the stages of this procedure.
- 6.2 There is a difference between a 'concern' and a 'complaint'. The school should take concerns seriously at an early stage to reduce the number that will develop into complaints. Formal complaints should follow the complaints procedure.
- 6.3 Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 6.4 The school has a nominated Complaints Coordinator. This currently **Renata Squire** – Head of Student Welfare.
- 6.5 The person investigating the complaint should make sure they:
 - Establish what has happened so far
 - Clarify the nature of the complaint
 - Meet with the complainant or contact them (if unsure or if further information is necessary)
 - Clarify what the complainant feels would put things right
 - Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
 - Conduct the interview with an open mind and be prepared to persist in the questioning
 - Keep notes of the interview or arrange for an independent note taker to record minutes of the meeting

APPENDIX A provides a standardised format for recording the initial complaint and the initial steps taken to investigate or resolve it.

7. Stage 1 – informal

- 7.1 This Stage is informal with the complaint being heard and recorded by a member of staff, in most cases the Complaints Coordinator (though not if the subject of the complaint)
- 7.2 On receipt and investigation of the complaint a written response will be given within 10 working days
- 7.3 On receipt of a complaint, written notification will be sent (by letter or email) to confirm that the complaint has been received and logged. A timescale for the response will be communicated, along with clarification of the exact nature of the complaint.
- 6.2 If the complaint is not resolved through this process, the complainant should contact the Head teacher.

8. Stage 2 - formal

- 8.1 The Head teacher, or other member of staff nominated by him/her, will offer to meet with the complainant to discuss his/her concerns within ten working days of receiving the complaint, or as soon as is reasonably practicable. Where necessary the Head teacher, or other nominated member of staff, will carry out a full investigation into the issues raised. The Head teacher will give a written response to the complainant as soon as possible but, in any case, within ten working days of this meeting. Where the complainant refuses the offer of a meeting this response should be made within ten working days of the receipt of the written complaint. Where the complainant is dissatisfied with this response, and wishes to take the matter further, the complainant will refer the matter to the Chair of The Management Committee.
- 8.2 Where the complaint is against the Head teacher, the complainant will refer the complaint to the Chair of The Management Committee.

9. Stage 3 – formal

- 9.1 The Chair of The Management Committee/Vice Chair/nominated committee member, will offer to meet with the complainant to discuss his/her concerns within ten working days of receiving the complaint, or as soon as is reasonably practicable. Where necessary The Chair of The Management Committee will carry out a full investigation into the issues raised. The Chair of The Management Committee will give a written response to the complainant as soon as possible but, in any case, within ten working days of this meeting. Where the complainant refuses the offer of a meeting, this response should be made within ten working days of the receipt of the written complaint.
- 9.2 The Chair/Vice Chair/nominated committee member will review the investigation and Head teacher's decision and may confirm this decision or reach a different decision. The committee member may choose to reinvestigate the complaint in whole or in part. The committee member may take advice initially from the Information Support and Guidance Lead within Place Planning and Provision Division of the Children and Enterprise Directorate, which may consult other LA officers.
- 9.3 Where paragraph 6.5 applies the Chair/Vice Chair/nominated committee member will conduct an investigation into the complaint. S/he should take appropriate advice in doing so.
- 9.4 The Chair/Vice Chair/nominated committee member will communicate his/her response in writing to the complainant as soon as possible but, in any case, within ten working days of the meeting referred to in paragraph 6.7. Where the complainant refuses the offer of such a meeting the committee member will inform the complainant of the outcome of the investigation within ten working days of receipt of the written complaint or as soon as is reasonably practicable afterwards.
- 9.5 Where the complainant is dissatisfied with this response, and wishes to take the matter further, the complainant will refer the matter to The Management Committee Complaints Appeal Panel.

10. Stage 4 – formal

- 10.1 The complainant will be heard by the Management Committee Compliant Appeal Panel.

Appeal Stage

- 10.2 If the complainant wishes to appeal against the decision made at the formal stage s/he must indicate his/her intention to do so within ten working days of receipt of the outcome of the formal stage.
- 10.3 The complainant should do this by sending a written appeal to the Chair of the Management Committee, either by letter or email, or, where the complaint is against the Chair, to the nominated committee member. This should state the original complaint and the reasons for on-going dissatisfaction. The Chair of the Management Committee, or nominated committee member, may decline to accept a complaint into the Appeal Stage where s/he, acting reasonably, believes that the complaint has been upheld in full at the Formal Stage and in all the circumstances there is no merit in the matter proceeding further.
- 10.4 A committee member's panel should be convened, consisting of three committee members who have had no previous involvement in consideration of the complaint. Where the complainant is a parent, committee members may wish to consider the possible advantages of this panel including a parent committee member. A complaints appeal meeting will be held in accordance with the procedure attached as Appendix B.
- 10.5 The meeting of the committee members' panel should take place as soon as possible, but in any case a date should be set and communicated to the complainant within twenty working days of receipt of the appeal. The committee members' decision should be communicated in writing to the complainant as soon as possible but, in any case, within five working days of the meeting. The complainant will have no further right to appeal this decision within the school.

11. Opportunities to Request a Review

Complaining to the Secretary of State

- 11.1 If a complainant believes that the Management Committee has acted unreasonably s/he can complain in writing to the Secretary of State for Education. Complaints to the Secretary of State regarding maintained schools are handled by the Department for Education.

Complaining to Ofsted

- 11.2 Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school.
- 11.3 Before complaining to an external body it would usually be expected that all stages of this procedure had been exhausted.

12. The Role of the Parent Partnership Service

- 12.1 The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs or mental health problems, from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.
- 12.2 The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but doesn't speak on behalf of or make decisions for the parent. The service also offers support after meetings have taken place to consider the conclusions of the meeting and if the parent feels a satisfactory outcome was achieved. If not the parent may have further options to consider.
- 12.3 Contact details for the service are 0151 907 8300

APPENDIX A

The Bridge School Complaints Form



Please complete and return to..... (Complaints co-ordinator)
who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name
Your relationship to the student (if relevant)
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint.
What action, if any, have you already taken to try to 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 who:

Complaint referred to:

Date:

APPENDIX B

Conduct of Complaints Appeal Meetings

- 1 Although this procedure may appear formal, the hearing should be conducted in as informal as way as possible, and the Chair of the panel should make every effort to make all parties feel comfortable.
- 2 A suitable venue must be provided for the meeting which includes separate waiting areas for the two parties and refreshments for all involved.
- 3 The date and time of the meeting must be agreed with all parties and witnesses and all relevant documentation must be circulated to all parties at least five working days in advance of the meeting.
- 4 Submission of additional documentation would not normally be allowed outside this timescale or at the appeal meeting, but the decision whether or not to allow this will lie with the governors' panel.
- 5 The meeting should be minuted.
- 6 The meeting may be attended by:
 - the complainant, with a companion if desired (who cannot also be a witness);
 - the Head teacher and/or Chair of the Management Committee, as appropriate, with an adviser if required;
 - the members of the Management Committees' Complaints Panel;
 - a minute taker, appointed by the committee members;
 - An adviser to the Management Committees' Panel.
- 7 Members of staff, who have been involved in the issue, or other witnesses, may be called upon by either side to attend part of the meeting to provide information to the committee members.
- 8 Both sides must provide names of any witnesses to be called at least five days in advance of the meeting, and the nature of the evidence which they will be providing. The panel has the discretion not to admit a witness if they do not consider their evidence to be germane to the complaint.
- 9 There will be no audio or visual recording of the proceedings by any party but a copy of the minutes of the meeting, once approved, will be shared with all parties.
- 10 The committee members will select a Chair from amongst their number.
- 11 The Chair of the panel will introduce all the parties present and explain the procedure to be followed, and that every effort will be made to keep the process as informal as possible.
- 12 The complainant (or his/her companion) will outline his/her complaint and explain why s/he is dissatisfied with the school's response to date. The complainant may call any witnesses in support of his/her complaint who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.

18. *Conduct of Complaints Appeal Meetings continued*

- 1 The Head teacher and the committee members will have the opportunity to ask questions of the complainant.
- 2 The Head teacher and/or the Chair of the Management Committee will explain their involvement in the complaint and the reasons for their decisions at the informal and first formal stage. The Head teacher and/or Chair of the Management Committee may call any witnesses in support of his/her statement who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.
- 3 The complainant and the committee members will have the opportunity to ask questions of the Head teacher and/or Chair of the Management Committee.
- 4 Both parties will be given the opportunity to sum up their statements, ending with the complainant. No new material may be introduced at this stage.
- 5 The committee members may decide to adjourn the hearing pending further investigation at any stage, if this seems necessary.
- 6 Both parties will leave the meeting and the committee members will consider the information that has been put to them. The clerk will remain for this part of the meeting in order to clarify anything if necessary, but the committee members' deliberations will not be minuted.
- 7 The committee members' panel must reach a unanimous or majority decision as to whether or not to uphold the complaint wholly or in part, and what action (if any) the school needs to take to resolve the complaint. This may include referring the matter to another formal process, whether in relation to a complaint against a committee member or a member of the school staff. Normally the committee members will reach a decision at this point but they may feel the need to take further advice. Where this is the case they should endeavour to reach a decision as soon as possible.
- 8 The committee members will communicate their response to both parties in writing as soon as possible but, in any case, within five working days of reaching their decision. The committee members' response should detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion. The response should also include any lessons learnt and specify any action to be taken by the school as a result of the complaint and within what timescales.

Head Teacher signed:

Date:

Management Committee signed:

Date:

**Department for Education – School Complaints Toolkit 2014 – Departmental advice for maintained schools, maintained nursery schools and local authorities.*