

ACORN
Better days, Better lives



Complaints Procedure

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1. General Principles of complaints

This policy explains Acorn Care and Education's complaints procedure. It sets out the stages to be followed when a complaint is received and how we will listen to your views. By taking your views seriously, the school receives useful feedback so that we can continuously review and improve the services offered.

At Oak Tree School we want to make it as easy as possible for you to let us know your views. Through listening and learning we will improve the quality of the services we provide and encourage good practice by our staff. This document tells you how to make a complaint. It gives you the opportunity to let us know what you think and for us to listen and learn.

We want to hear from you if...

- You have a suggestion on how we might improve services
- We have fallen short of your expectations
- We have fallen short of the standards we set ourselves

We will...

- Aim to deal with your complaint there and then
- Deal with things impartially and confidentially
- Be open and honest
- Be inclusive and accessible to all
- Treat everyone with fairness and according to their needs
- Provide clear information
- Offer support when required

How to tell us your Views...

You can tell us what you think in the following ways:

- In person - by contacting Oak Tree School to arrange an appointment.
- You can also contact us by telephone (01872 264221), letter (Oak Tree School, Truro Business Park, Threemilestone, Truro, CORNWALL, TR4 9NH) or email (oaktreeschool@acorncare.co.uk)

Dealing with Complaints – Initial concerns

When a concern is raised, the member of staff must determine whether it is a complaint or a representation. That is, whether it is a matter which normal day to day practice should seek to resolve or something which needs to be dealt with under the complaints procedure.

Representation is comment or feedback from an individual or group about the service provided by the school. It could be positive or negative. It requires some response and this could involve making changes to how a service is delivered.

A complaint is defined as, "An expression of dissatisfaction, however made, by one or more people about the School's action or lack of action or about the standard of service"

This definition is sufficiently broad to cover most complaints such as:

- Failure to provide a service
- Unreasonable delays in the provision of a service
- Failure to provide adequate standards of service
- Failure to fulfil statutory responsibilities
- An employee's attitude or behaviour

This policy sets out procedures for dealing with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. Acorn Care and Education recognises that this complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with Complaints – Formal procedures

The 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.

All Acorn schools have a nominated member of staff with responsibility for the operation and management of this complaints procedure. The school's 'complaints co-ordinator' for Oak Tree School is Mike Deacy.

Framework of Principles

The Acorn Care and Education complaints procedure:

- encourages resolution of problems by informal means wherever possible
- is easily accessible and publicised
- is simple to understand and use
- is impartial
- is non-adversarial
- allows swift handling with established time-limits for action and keeping people informed of the progress
- ensures a full and fair investigation by an independent person where necessary
- respects people's desire for confidentiality
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary
- provides information to the school's senior management team so that services can be improved

Investigating Complaints

The complaints co-ordinator is responsible for:

- establishing what has happened so far, and who has been involved
- clarifying the nature of the complaint and what remains unresolved
- meeting with the complainant or contacting them (if unsure or further information is necessary)
- clarifying what the complainant feels would put things right
- interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

- conducting the interview with an open mind and being prepared to persist in the questioning
- keeping notes of the interview

Resolving Complaints

Acorn Care and Education recognises that at each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might 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

Acorn Care and Education encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

Acorn Care and Education's complaints procedure works to identify areas of agreement between the parties. It also looks to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

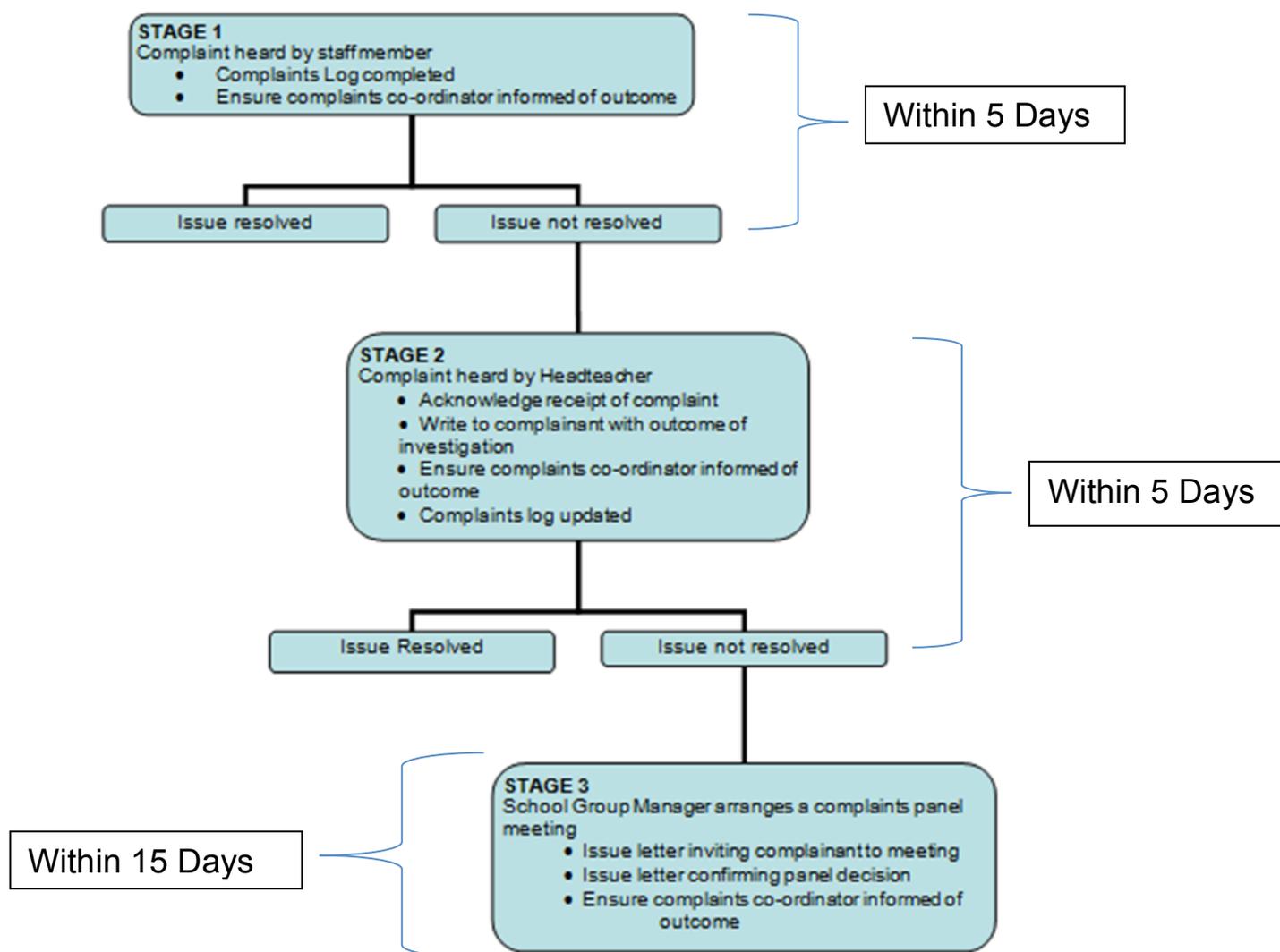
Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed and a full investigation having been completed, the complainant remains dissatisfied. If the complainant then repeatedly complains about the same issue, the School Group Manager (Paul Elliott), who chairs the complaints panel, can inform them in writing that the procedure has been exhausted and that the matter is now closed.

2. The Formal Complaints Procedure

The Stages of Complaints

Acorn Care and Education complaints procedures have well-defined stages. The flow chart below highlights the different stages.



Stage One: Complaint Heard by Staff Member

Acorn Care and Education recognise that it is in everyone’s interest to resolve complaints at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate.

Acorn Care and Education staff should always look to respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints co-ordinator can refer the complainant to the School Group Manager (Paul Elliott / 01204 558038).

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to the School Group Manager, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. The School Group Manager should not act unilaterally on an individual complaint outside the formal procedure or be

involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage one procedure:

- The member of staff will talk with the complainant and will allow opportunity for them to discuss;
 - the nature of the concern
 - the desired outcomes of the complaint
- The member of staff will make sure that the complainant is clear what action has been agreed, arranging for the matter to be put in writing if it is apparent that that is the best way of making things clear. Complaints at this stage should usually be addressed within 5 days.
- All complaints reaching this stage will be logged in the school's Complaints log (see appendix 1), recording who made the complaint, the date of the complaint, nature of the complaint, action taken and the outcome of the complaint. The Headteacher holds this log.
- If Complainants are still not satisfied they will be made aware of the procedure for escalating their concerns further to Stage 2.

N.B If the complaint concerns a safeguarding matter, the school will work within its own safeguarding policy and within the Safeguarding policy of the relevant local authority, when deciding how to proceed.

Stage 2: Complaint heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage two procedures

- Where a complainant has made an approach to the school through stage 1 and is not satisfied with the outcome, they can phone, email or write (or have their concerns recorded by someone acting as an advocate on their behalf) to the Headteacher giving details of their concerns and asking for the matter to be given further consideration
- If the complaint is against the Headteacher the complaint should be addressed to the School Group Manager as follows

Paul Elliott – Director of Education
Acorn Care and Education
1 Merchants Place
River Street
Bolton
BL2 1BX
01204 558038
p.elliott@acorncare.co.uk

- All complaints reaching stage 2 will be logged in the school's complaints log, acknowledged in writing and copied to the Acorn Care and Education Board of Directors for information• The Headteacher will seek any clarification necessary about the complaint, including interviewing the complainant where necessary
- The Headteacher will also seek any necessary advice on the matter and investigate it carefully. The complainant will be notified (in writing if appropriate) of the outcome of the complaint within 5 working days
- Where a complainant is not satisfied with the outcome of Stage 2 they have 28 calendar days from the date of the Headteacher's letter to register the complaint with the Acorn Care and Education Board of Directors

Stage three: Complaint heard by School Group Manager's appeal panel

If the parents or carers are still not satisfied with the response from Stage 2, they should inform the School Group Manager (Paul Elliott / 01204 558038) who will arrange a panel to hear the complaint. The panel will comprise of three people not directly involved in the matters detailed in the complaint. One member of the panel will be independent of the running and management of the school. The date of the panel meeting will be arranged to take account of the convenience of the parents or carers as well as the school and will take place within a time limit of fifteen working days.

Stage 3 procedure

- Complainants will be invited to bring with them another person or persons as an advocate to support them at the panel hearing.
- The panel will hear the complaint and will hear the outcome of the school's investigations and its response to these. The panel will then make findings and recommendations which will be communicated in writing within five working days to the School Group Manager, the Headteacher, the complainant and, where appropriate, the person complained about.
- A written record of all complaints and their resolution, whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing, will be kept on the school premises by the Headteacher. These records and any correspondence relating to a complaint will remain confidential except where the Secretary of State or a body conducting an inspection under Section 162a of the Education Act 2002 requests access to the records

3. The Remit of the Complaints Appeal Panel

The panel can:

- 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 recur

There are several points which the School Group Manager sitting on a complaints panel needs to remember (see appendix 2 – checklist for Panel Hearing):

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No SGM may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The School Group Manager will ensure that everyone on the panel is aware of the complaints procedure

4. Complaints from Pupils

Pupils may wish to talk to an adult they trust about a situation relating to school or to a situation outside school. Pupils are reminded that, although they may speak to any member of staff, there may be occasions where information will have to be referred to other agencies such as Children's Services.

Within school pupils may talk to:

- Teachers
- TAs
- Behaviour support staff
- Head Teacher
- Deputy Head Teacher
- SENDCo
- School counsellor
- Any other member of staff
- Any outside agency

A pupil may merely need a trusted adult to talk a situation through with and may not be making a formal complaint. However, all complaints will be taken seriously by staff and procedures will be explained to them in a clear, concise, pupil friendly manner.

Pupils will receive a handbook during their admission interview to the school that details how they can raise a concern or make a complaint. During this interview our experienced staff including, Headteacher, Deputy Headteacher and Educational Psychologist will ensure that all stakeholders (parents/carers, child and any other agencies present), are aware of the school's complaints procedures. There will also be posters set out in prominent locations throughout the school including reception areas, classrooms and therapy rooms detailing how to raise a concern or make a complaint.

Students will also have timetabled tutor and therapy sessions where they will have the opportunity to raise concerns. Each classroom will also have a 'worry box' where pupils can write down a worry or concern without having to speak to someone about it. The class tutor will empty the worry box at the end of every day, and the most appropriate staff member (depending upon the needs of the child) will talk with the child at the earliest opportunity.

The complaints process will follow the same set of procedures and timelines as stated previously for Stage 1, 2 and 3

Young people may require support and/or guidance to access external complaints procedures and it may be necessary for staff to act as an 'advocate' for young people or to suggest to young people others external to the school who would be willing to act as an advocate, for example the pupil's social worker.

Similarly young people, parents/carers, members of the public may raise their concerns directly with Ofsted Tel: 0300 1231231

Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

5. Managing and Recording Complaints

Withdrawal of Complaints

Complaints may be withdrawn orally or by email at any time. The withdrawal will be recorded in the complaints log and confirmed in writing to the complainant.

Recording Complaints

Acorn Care and Education schools record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. The staff member will complete the complaints log (appendix 1). At the end of a meeting or telephone call staff should ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the complaint log. A complaints register is maintained to keep a detailed chronological record of any complaints made (see Appendix 3).

Acorn Care and Education Review

The Acorn Care and Education school group manager will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to Acorn Care and Education school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the SGM can be a useful tool in evaluating a school's performance.

Publicising the Procedure

Details of the Acorn Care and Education Complaints Procedures will be included in:

- the school prospectus;
- the admissions document given to new parents when their children join the school;
- the pupil handbook given to the children on admission;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- the school website

6. Worries and Complaints – A Guide for Pupils

Introduction

This information is designed to help you if you feel worried about something or wish to make a complaint. You may simply want to talk to someone; there are many people available, for example:

- Your parents
- A friend
- Your Teacher or TA
- A member of the Therapy Team
- A senior member of teaching staff
- Any other member of staff

If you want to talk to someone who does not work for Oak Tree School you can speak to Sarah Canavan-King (Educational Psychologist) and she will help. Sarah is part of our therapy team but works for Cornwall Council. Or you can ask to talk to someone from another service (e.g. your social worker), we will help you contact them.

Don't forget that you can always write your concern down and post it in the worry box in your classroom if you don't want to talk to someone about your worry face to face. A member of staff will come and talk to you about your concern at the earliest opportunity.

Making a complaint

All staff will try to sort out a worry or a problem for you as soon as possible. It may not be possible to do this for you or you may want to make the complaint more formal which means taking it to senior staff. A complaint may be made verbally or in writing. You may decide to ask someone to help you and be with you when you make a complaint. The Headteacher has a responsibility to see all complaints are dealt with properly and as quickly as possible. You may, if you wish, ask someone else to make a complaint for you, or write out the complaint. This could be another pupil, a member of staff or your family.

When you have made a complaint

You will be informed of what is happening. If you are still not satisfied you can request a complaint is dealt formally by senior members of staff. Your teacher or another member of staff will help you with this. A formal complaint will be dealt with within 5 days.

Remember – You will not get into trouble just because you have made a complaint

Still Worried.....? You can also find numbers displayed in the reception area for other people not connected with the school that can help you:

Childline – 0800 11 11

Ofsted (the people that inspect the school) – 0300 123 4666

Children’s commissioner: <http://www.childrenscommissioner.gov.uk/get-advice>

Appendix 1 – The Complaint Log

Please complete and return to Mike Deacy, Headteacher, Oak Tree School, Truro Business Park, Threemilestone, TR4 9NH, or via email to m.deacy@acorncare.co.uk who will acknowledge receipt and explain what action will be taken.

Name:	Pupils Name:	Daytime telephone number:	Evening telephone number:	Email address:
Address (inc postcode):				
Please give details of your complaint:				
What action, if any, have you already taken to try and resolve your complaint?				
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:			Sent by:	
Complaint referred to:			Referral Date:	

Appendix 2 - Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The Headteacher may question both the complainant and the witnesses after each has spoken
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the Headteacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Headteacher is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues
- The School Group Manager explains that both parties will hear from the panel within a set time scale

Appendix 3 - Oak Tree School Formal Complaints Register

			Action by Headteacher/ Complaints Committee			
Date Complaint Received	Name of Complainant(s)	Summary of Complaint	Action taken	Cross reference to other procedures or forms	Signed	Outcome with Date (including at what stage the complaint was resolved)