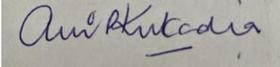




Complaints Policy

Person responsible for this policy:	Ani Kukadia, Proprietor
Policy reviewed by:	Trudy Read, Education Consultant
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1/ Introduction

At Liberty Lodge Independent School, we recognise that it is essential to be open to criticism or complaint from any source and that only by being receptive to criticism or complaints can we hope to improve our service and the attainment of the pupils we teach.

Liberty Lodge Independent School is clear about the difference between a concern and a complaint (see Section 4) and recognises that taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. However, formal complaints should always follow the complaints procedure. 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.

2/ Aims:

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school:

- to encourage resolution of problems by informal means wherever possible
- to be easily accessible and publicised
- to be simple to understand and use
- treat complainants with respect and courtesy
- ensure complainants are kept up to date on the progress of the complaints process
- to be impartial
- to be non-adversarial
- to allow swift handling of complaints with established time-limits for action and keeping people informed of the progress
- to ensure a full and fair investigation by an independent person or panel, where necessary
- to respect people's desire for confidentiality
- to address all the points at issue and provide an effective response and appropriate redress, where necessary
- to provide relevant information to the school team and proprietor so that services can be improved and the school improvement process be added to
- to ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law

3/ Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to

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[good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

4/ Definitions and scope

4.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Our school accepts and uses these definitions.

3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school’s support are within the scope of this policy. Such complaints should first be made to the Head Teacher; they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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5/ Roles and responsibilities

5.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

5.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

5.3 Clerk to the proprietor

If necessary, a clerk will be appointed. The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

5.4 Chairperson of the hearing

The chairperson will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

6/ The principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

6.1 Investigating complaints

At every stage the person investigating the complaint will:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved

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- meet with the complainant or contact them (if unsure or 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.

6.2 Time Limits

Liberty Lodge Independent School recognises the need for complaints to be considered and resolved, as quickly, and efficiently as possible. The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Where further investigations are necessary, new time limits can be set:

- The complainant will be sent details of the new deadline and an explanation for the delay.

6.3 Resolving complaints

At each stage Liberty Lodge Independent School will 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

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- an undertaking to review school policies in light of the complaint
- it would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that Liberty Lodge Independent School could have handled the situation better is not the same as an admission of negligence.

7/ Stages of complaint (not made against the Head Teacher or Proprietor)

7.1 Recording Complaints

Liberty Lodge Independent School will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff investigating the complaint will 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 will be kept and a copy of any written response added to the record.

7.2 The Complaints Procedure

All complaints, whether formal or informal, will be recorded in the complaints log.

Stage 1: informal

- complaint heard by staff member (though not the subject of the complaint)
- where the complaint concerns the Headteacher the member of staff receiving the complaint will refer the complaint to the proprietor.
- the school will acknowledge informal complaints within 2 school days, and investigate and provide a response within 10 school days.
- the informal stage will involve a meeting between the complainant and the Head Teacher and the subject of the complaint, as appropriate.
- If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal (written)

Formal complaints can be raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

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- any complaint delivered verbally must be followed up in writing within 5 working days.
- the complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.
- If complainants need assistance raising a formal complaint, they can contact the school.
- the complainant may be dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial complaint if it has not been resolved within 10 working days
- the Head Teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken
- a reference number and the name of the person investigating the complaint will be provided to the complainant within 1 working day.
- the complaint will be investigated and the headteacher (or designated member of the school team) will call a meeting to clarify concerns, and seek a resolution.
- the complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.
- In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.
- The Head Teacher (or other person appointed by the Head Teacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 working days.
- if, for any reason, the complaint cannot be investigated within 3 working days the complainant must receive notification in writing which provides an explanation and new timescale.

How to escalate a complaint

Having received the written conclusion of a complaint at stage 2 of the procedure, if the complainant wishes to proceed to the next stage of the procedure and escalate the complaint, they should inform the proprietor within 5 working days.

Complaints can be escalated by contacting the proprietor:

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- By letter or email
- Over the phone
- In person
- Through a third party acting on behalf of the complainant

The proprietor will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the complainant wishes to proceed to stage 3 of the procedure, they should inform the proprietor in writing within 5 school days. Requests received outside of this time frame will be considered in exceptional circumstances.

The proprietor will acknowledge receipt of the request within 3 school days.

Stage 3 (formal/panel)

For complaints that have not been resolved at an earlier stage or have been escalated by the complainant, a panel meeting will be arranged:

- the complaint will be heard by an independent panel set up by the proprietor. One member of the panel will be independent of the management and running of the school. The panel will consist of 3 members who are not directly involved in the matters detailed in the complaint. These individuals will have access to the existing record of the complaint's progress.
- The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The proprietor will aim to find a date within 10 working days of the request, where possible.
- If the complainant rejects the offer of 3 proposed dates without good reason, the proprietor will set a date. The hearing will go ahead using written submissions from both parties.
- Any written material will be circulated to all parties at least 2 school days before the date of the meeting.

The meeting

- At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.
- The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school

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employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

- At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.
- The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.
- The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The outcome

The panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the panel will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within school days.

8/ Complaints against the Head Teacher or Proprietor

8.1 Stage 1: informal

Complaints made against the Head Teacher should be directed to the proprietor in the first instance.

If the complaint is about the proprietor, in the first instance, the complaint should be passed to Nish Kukadia, Non-Executive Director. Next, a suitably-skilled and impartial and independent person will carry out the steps at stage 1 (set out in Section 7 above).

8.2 Stage 2: formal

If the complaint is jointly about the Head Teacher and Proprietor, an independent investigator will carry out the steps in stage 2 (set out in section 7 above). They will be appointed by the proprietor in liaison with Head Office of the company, Able Healthcare and will write a formal response at the end of their investigation.

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8.3 Stage 3: review panel

If the complaint is jointly about the Head Teacher and Proprietor a committee of independents will hear the complaint. These independents will be sourced from a reputable organisation.

9/ Persistent or Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the proprietor is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

However; Liberty Lodge Independent School recognise that should a complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. It is not the complainant who is vexatious; it is the correspondence.

9.1 Unreasonably persistent complaints

Most complaints raised will be valid and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

9.2 Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined in this policy) wherever possible.

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If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

9.3 Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

10/ Record Keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and retention schedule.

11/ Reflecting and learning lessons

The proprietor will review any underlying issues raised by complaints with the Head Teacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

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12/ Monitoring arrangements

The proprietor will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The proprietor will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Head Teacher.

This policy will be reviewed by the Head Teacher every 2 years

At each review, the policy will be approved by the proprietor.

13/ Further information

The Department for Education (DfE) cannot investigate individual complaints about private schools. But it has certain powers as a regulator if the school is not meeting standards set by DfE under [the Education \(Independent School Standards\) Regulations 2014](#) 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.

You can complain to the DfE by filling in the [school complaints form](#).

14/ Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

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Complaints Policy Staff sign off sheet

Please complete details below to acknowledge that you have read, understood and will follow this policy

Print name	Role	Signature	Date