

The Corner School - Complaints Policy & Procedure

Owner:	Head Teacher / CEO
Author:	HR
Approvers:	School Governors
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NB:

- **Scope:** This policy applies to all those that have external connection to the Corner School (e.g. parents/carers, pupils, third parties, members of the public etc.)
- This policy is written in accordance with all legal requirements and best practice guidance
- **Equal Opportunities:** This policy will never discriminate directly or indirectly against the 9 protected characteristics. Equality of opportunity should be provided for all in accordance with the Equality Act (2010). Individuals are invited to provide information about any equality or diversity issues that may be relevant. UP may consider making adjustments to this policy in appropriate circumstances when feasible and in keeping with organisational needs
- **Data Protection:** Personal data collected and processed in relation to this policy is managed in accordance with Unlocking Potential's Data Protection Policy
- **Policy Status:** This policy may be varied by UP at any time



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1. Introduction

The staff team and Governors at The Corner School, are committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect in the running of the school.

The Corner School aims to be fair, open and honest when dealing with complaints/concerns and welcomes feedback from parents, pupils and third parties. We will try to resolve concerns or complaints by informal means wherever possible. However, where this is not possible, a formal procedure will be followed.

A complaints procedure is an important part of the management of a well-run school allowing parents, carers and other members of the public the opportunity to voice any concerns they may have through appropriate channels.

The Corner School aims to give complainants the opportunity to complete the complaints procedure in full. To support this, we publicise the existence of this policy and make it available on the school website.

2. Aims

The aim of this policy is to support The Corner School in meeting its statutory obligations when responding to complaints. It sets out the procedure which has been adopted by the school to ensure a timely, effective, and fair approach to the resolution of concerns. When responding to complaints, we will:

- Treat complainants with respect and courtesy, and respect confidentiality
- Be sensitive to the needs of all parties involved, and strive to make any reasonable adjustments that may be required
- Keep complainants informed of the progress of the process as appropriate
- Address all issues raised and provide a timely response
- Facilitate a full and fair investigation by an impartial person (or panel) where necessary
- Make sure that any decisions are lawful, rational, reasonable, fair and proportionate
- Consider how feedback can contribute to school improvement evaluation processes

3. Concerns vs Complaints

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

For example, concerns may arise from:

- Doubt regarding the application of school rules or procedures
- Misunderstanding of an incident that has taken place
- Where a parent or carer believes their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so appropriate steps can be taken
- Where a parent or carer believes their child is being bullied or has suffered some form of discrimination and brings the matter to the school’s attention so action can be taken and to prevent a reoccurrence

Concerns can often be resolved informally, without the need to use the formal stages of the complaint procedure.

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

For example, complaints may arise when:

- An individual has previously raised a concern and is not satisfied with the response/resolution offered
- Where an individual has unease over an incident that had taken place or a decision that has been made, and does not feel an informal approach is appropriate

Complaints are dealt with formally following clear guidelines.

4. Scope

This policy covers all complaints about any provision of community facilities or services by The Corner School. This policy does not cover complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
• Admissions to school • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions are handled under our ‘Admissions policy’ Concerns about statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the local authority for Brent.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are dealt with under our ‘Safeguarding and Child Protection policy’ and in accordance with relevant statutory guidance. If you have serious concerns you may wish to contact the local authority designated officer (LADO) who has responsibility for safeguarding. The Brent LADO can be contacted at: family.frontdoor@brent.gov.uk
• Exclusion of children in school	Additional information can be found at: https://www.gov.uk/school-discipline-exclusions/exclusions (Complaints about the application of the ‘Behaviour policy’ can be made through this complaints procedure and the Behaviour/Exclusions policy)
• Whistleblowing	We have an internal ‘Whistleblowing policy and procedure’ available to all UP employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers in education who do not want to raise matters direct with their employer. Referrals can be made at:

	www.education.gov.uk/contactus .
• Staff grievances	Complaints from staff will be dealt with under the internal grievance procedures
• Staff conduct	Complaints about staff conduct will be dealt with under internal disciplinary procedures, if appropriate. The complainant will be notified that the matter is being addressed internally, but will not be informed of the outcome of such procedures.
• National Curriculum Content	Please contact the Department For Education (Dfe) at: www.education.gov.uk
• Complaints about services provided by other providers who use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

Where other bodies may be investigating other aspects of a complaint (e.g. the police, Local Authority, tribunals or safeguarding teams), this could impact The Corner School's ability to adhere to timescales set within this procedure or may result in the procedure being suspended until those bodies have completed their investigations.

When a complainant proceeds with legal action against The Corner School in relation to the complaint, we will consider suspending the complaints procedure until legal proceedings have concluded.

5. Who can make a complaint?

This complaints procedure is not limited to parents or carers of pupils that are registered at The Corner School. Any person, including members of the public, may make a complaint about the provision of facilities or services that The Corner School provide.

6. How to raise a concern or complaint

How:	A concern or complaint can be raised: • Via email: info@thecornerschool.org.uk • In person: Douglas Avenue, Wembley, HA0 4DT (please arrange an appointment) • In writing: A complaints form is available on the school website or in the appendix of this policy • By telephone: 0203 325 2772 • Via a third party acting on behalf of the complainant, providing they have appropriate consent If assistance is required by anyone who wishes to raise a concern or complaint, the school office can be contacted (0203 325 2772). Alternatively, a third-party organisations like the Citizens Advice can also offer support. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting
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	complainants in raising a formal complaint or holding meetings in accessible locations.
Who:	- Concerns should be raised as soon as possible to the relevant Class Teacher or, depending on the nature of the concern, the Headteacher - Complaints regarding school staff (except the Headteacher) should be made in the to the headteacher. Please mark as Private and Confidential: info@thecornerschool.org.uk - Complaints that involve or are about the headteacher or a member of the school governing body should be addressed to the CEO: Cassie.Oakeshott@up.org.uk. Please mark as Private and Confidential Complainants are encouraged not to approach school governors directly to make concerns or complaints. They have no power to act on individual cases and it may also prevent them from considering complaints at later stages If a complainant has a difficulty with a particular member of staff, we will respect their views and, as far as possible, refer them to another appropriate member of staff

We will not normally investigate anonymous complaints. However, the headteacher or CEO, if appropriate, will determine whether the complaint warrants an investigation.

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

7. Timescales

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.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. The Corner School takes concerns seriously and will make a conscious effort to resolve matters as swiftly as possible.

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

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

8. Who will deal with the concern or complaint?

- An appropriate and impartial member of staff will be identified to resolve concerns at an informal stage
- The Headteacher will manage complaints at the formal stage
- For concerns and complaints about specific individuals, these will be addressed as follows:

Complaint / concern regarding school staff	• Headteacher / Manager
Complaint / concern regarding Headteacher	• CEO
Complaint / concern regarding a School Governor	• CEO / Chair of Governors
Complaint / concern regarding a Chair of Governors	• CEO

9. Resolving complaints

At each stage of the below complaint procedures, The Corner School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or part. In addition, it may be appropriate to offer one or more of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An apology
- 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 The Corner School policy in light of the complaint

Complainants are encouraged to state what actions they believe may resolve the complaint/concerns at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

10. Stage 1 - Informal Stage

Many issues can be resolved informally, without the need to use the formal stages of the complaint procedure. All staff are encouraged to resolve problems by informal means wherever possible and within 5 school days of them being raised.

Upon receiving a concern, the individual should be contacted in order for them to share the full details of their concern and for a potential resolution to be discussed and any required action agreed.

If the concern is resolved:

- A record of the informal concern and any action taken should be recorded for future reference as appropriate
- The individual should be provided with a summary of what was discussed and agreed and confirmation that the concern has been satisfactorily resolved. They should be offered the opportunity to make contact again should further concerns arise

If the concern is not resolved:

The formal procedure set out below should be followed where:

- The nature of the concern means an informal approach is not appropriate
- People would like to raise their concerns formally
- Initial attempts to resolve the issue are unsuccessful and the person raising the complaint remains dissatisfied and wishes to take the matter further

11. Stage 2 - Formal Procedure

Stage 2

If the complaint is about the Headteacher, the CEO or a member of the governing body will be appointed to complete all the actions at Stage 2:

Submission:	To make a formal complaint, individuals will be asked to complete a complaints form (see appendix) the complainant should include details that might assist the investigation such as witnesses, dates and times of events and include copies of relevant documents.
Acknowledgement:	The Headteacher will record the date the complaint form is received and acknowledge in writing receipt of the complaint form within 3 school days. This response will include: • Confirmation that the complaint will be investigated • The name of the person responsible for investigating • How long it will be before a response will be given • A copy of the complaint policy/procedure
Initial Fact Finding:	The Headteacher may request further information in writing, via a phone call or face to face in order to initially clarify the nature of the complaint, to ask what remains unresolved, and what outcome the complainant would like to see.
Investigation:	The Headteacher (or an appointed investigator) will: • Interview those involved in the matter and/or those complained of (as appropriate), allowing them to be accompanied if they wish • Keep a written record of any meetings/interviews in relation to their investigation
Outcome:	Once the investigation is complete a letter will be sent to the complainant which includes: • Summary of any investigation conducted • Details of any action taken • Details of any recommendations made as a result of the investigation • Details of the Headteacher's decision on the complaint The letter must also specify that if the complainant is unhappy with outcome, that they have the right to appeal the outcome within 5 school days. This will progress their complaint to stage 3 of this procedure and their matter referred to the Governing Board/CEO.

During term time the Headteacher endeavours to resolve a complaint within 10 school days of the acknowledgement of the complaint. If the complaint is raised during school holidays it will be responded to within 10 days of the start of the new term. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

If the problem is resolved no further action is taken and the matter is closed. A record of the concern and any action taken should be recorded for future reference on the complaints log.

12. Stage3 - Formal Procedure, Panel Hearing



If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This is the final stage of the complaint procedure.

To do this, the complainant should write to the Chair of Governors within 5 school days of receiving the Stage 2 response with the following information:

- Full explanation of the complaint
- Contact details
- Relevant documents / evidence for consideration

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

Receipt of the complaint will be acknowledged in writing within 3 school days.

If the complaint is jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body, Stage 3 will be heard by an independent panel.

Hearing Panel

A panel of at least 3 people with no prior involvement / knowledge of the complaint will be appointed by or on behalf of the Chair of Governors.

The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school. Therefore, at least 1 panel member will be independent of the management and running of the school. Prior to the meeting, the panel will decide amongst themselves who will act as the Chair.

The panel will have access to the existing record of the complaint's progress.

Hearing Arrangements

- The school will aim to find a hearing date within 20 school days of the receipt of the complaint, where possible.
- The complainant will be given at least 3 school days' notice to attend the hearing.

If the complainant rejects the offer of 3 proposed dates without good reason, the school will set a date and the hearing will go ahead in the complainant's absence, using written submissions from both parties.

- The meeting must be held in private and may take place in person or via video call (where agreed)
- The complainant must be allowed the opportunity to attend the panel hearing and be accompanied by a suitable companion if they wish. This could be a friend or a relative, the school do not encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union / legal representation.
- Each party will have an opportunity to submit written or verbal submissions at least 5 days prior to the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.



- Any written material will be circulated to all parties at least **3** days before the date of the meeting
- The panel meeting should be free from electronic recordings devices (unless a reasonable adjustment is required). Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken
- Representatives from the media are not permitted to attend

The Hearing

The complainant and representatives from the school, as appropriate, will be present.

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 all evidence will then be considered by the panel and an outcome decided.

Copies of the minutes of the hearing will be provided to all attendees following the meeting, this will usually be within 2 school days.

Outcome

The panel will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:

- make recommendations regarding the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to prevent similar issues in the future

The Chair of the panel will provide the complainant and school a response in writing, within 5 school days:

- Any actions taken to investigate the complaint
- An explanation of their decision and the reason(s) for it
- Where appropriate, it will include details of actions that will be taken to resolve the complaint
- Details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled

13. Referral to Department for Education

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

14. Vexatious and Persistent Complaints

A thorough guiding set of complaints procedures should limit the number of complaints that become vexatious; and if the procedures are followed correctly keeping the person informed of what is happening, this should not become an issue.

However, occasionally, a complainant may remain dissatisfied despite all the procedures having been followed.

If the complainant continues to make representations to the school or attempts to re-open the same issue, the Chair of Governors should inform them, in writing, that the procedures have all been followed and that all reasonable action has been taken to try to resolve the issue and that the matter is now closed. In some cases, it may be necessary to seek legal advice to deal with particularly vexatious or persistent complainants.

Threats involving the media and/or legal action should be treated respectfully, whilst reassuring the person that the school will respond to any letters or approaches from the media or solicitors in the normal way and in line with the appropriate procedures.

Occasionally, the behaviour of a complainant can pose a threat to the school community. If this occurs, a warning letter should be sent to the person in which it is made clear that unwelcome and threatening behaviour is not tolerated. If required to do so, The Corner School will engage with the local authority and may take legal advice.

15. Record Keeping

The Corner school will record the progress of all complaints, including information about actions taken at all formal stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of relevant 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 managing the complaint.

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 and our data protection policy.

Appendix

A) Legal Requirements

The Corner School's complaints procedure 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 good practice guidance on setting up complaints procedures from the Department for Education (DfE).

Section 157 of the Education Act 2002 requires, in terms of independent school standards, that: ***'Regulations shall prescribe standards about the manner in which independent schools handle complaints.'***

B) The Corner School Complaints Form

If you wish to email your complaint rather than use the online submission form, please complete the information below and send this to: info@thecornerschool@up.org.uk

Name	
Your Child's Name (if relevant)	
Email	
Phone Number	
Preferred method of contact	
Are you raising a formal complaint?	☐ Yes – I am raising a formal complaint ☐ No – I am raising my complaint informally
Are you happy to be contacted to discuss this matter in more detail if required?	
Does your complaint relate to specific individual?	
Your message: <i>Please provide full details of your complaint and how you feel this could be resolved</i>	

C) Roles Guidance:**Complainant:**

The complainant will receive a more effective response if they:

- Explain their concerns in full as early as possible
- Work with the school to seek a solution to the concern / complaint
- Respond promptly to requests for information or meetings, or in agreeing the details
- Ask for assistance as needed
- Treat all those involved with respect
- Refrain from publicising the details of their complaint/concern on social media and respect confidentiality

Investigator:

Where an investigation is required, an independent person will provide comprehensive, open, transparent and fair consideration of the complaint. They will:

- Establish what has happen so far and who has been involved
- Clarify the nature of the issue and what remains unresolved
- Meet with the complainant or contact them (if unsure or further information is required)
- Clarify what the complainant thinks will put things right
- Interview those involved in the matter/or those complained of, allowing them to be accompanied if they wish
- Consider records and other relevant information
- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of any interviews
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- Prepare a report that sets out the facts, identifies solutions and recommends courses of action