

Complaints Policy	
Independent School Standards: paragraphs 32(3), 33 and 34	
Summary of the number of complaints registered and resolved under our formal complaints procedure during the preceding school year (ISS 32(3)(f))	
Stage 1: Informal complaint Stage 2: Formal complaint Stage 3: Formal resolution, board of trustees Stage 4: Formal resolution, panel	
Latest ratification by Trustees:	Sept 2023
Next review by Trustees:	Sept 2024
Latest Update:	August 2023
Links:	Safeguarding policy Anti-bullying policy Whistle blowing policy Community Accountability policy

Complaints Policy

Introduction

We aim to provide an education that puts young people at the heart of the education process. We offer an approach to school life that shares responsibility with the young person - not to the exclusion of the family - but in a way that clearly values the young person's voice in school life. However, families are an essential part of our school and are entitled to prompt attention and consideration of their needs and concerns.

Purpose

This document sets out the arrangements to deal with any complaints. If a complaint concerns the welfare and/or child protection of a child then the complainant should speak to one of the Co-Headteachers who are the school's designated safeguarding leads.

This policy applies to any matter which has been raised with The New School by families of young people as a matter of concern but which has not been capable of resolution informally and which the complainant or the school considers should be dealt with on a formal basis. Usually matters relating to admissions and exclusions, statutory SEND assessments, matters involving child protection involvement, will not be considered as they have their own appeals or complaint processes. Where necessary the school will exercise its discretion in managing complaints within these areas. Whistleblowing, staff grievances and discipline matters will not be considered under this policy.

It is in everyone's interest to solve concerns and complaints as soon as they arise. For that reason, we urge young people and families to let us know as soon as possible about any issues. Any problem, which is not resolved quickly may damage relationships and affect our school community.

In situations whereby early remedying of a concern seems to be impossible the outlined complaints protocol should be followed. The school will carefully consider all concerns and aim to solve issues through open dialogue and mutual respect and understanding.

Aims

- To deal with concerns and complaints honestly and in confidence
- To investigate issues fairly and thoroughly
- To respond to concerns and complaints in a timely matter
- To keep everyone involved and up to date at all stages
- To resolve any complaint through dialogue and mutual understanding
- To put the interests of the young person at the centre
- To provide sufficient opportunity for any complaint to be fully discussed, and then resolved

- To solve any formal complaints within 28 school days
- To inform complainants about what will be done to resolve the situation

Who the complaint policy is for

Our complaints protocol is outlined for young people and for families with young people at our school. This process does not apply to prospective young people, or to young people who have left the school (unless the complaints procedure was started before the young person left). Please refer to our school website for guidance on how our school is run and who has responsibility for different areas of school life.

Stage 1: informal complaint

Although we are committed to meeting expectations and guaranteeing the smooth running of our day to day activities, sometimes young people or their families may raise a concern. A concern is defined as a worry, or dissatisfaction, for which they may seek reassurance. This will be dealt with informally.

All concerns are taken seriously by The New School and we ask that the young person or family member who has a concern about an aspect of the school's provision, a member of staff, or another young person to speak to the class teacher in the first instance. If for any reason they don't feel comfortable speaking to the class teacher, they should raise their concern with any other member of the teaching staff, preferably one of the Co-headteachers. All concerns raised in this manner will be recorded by the member of staff who handled the concern.

Should there be no satisfactory outcome within 2 school weeks the concern may be treated as a formal complaint. The complainant is asked to follow the outlined protocol below.

A complaint is classified as a statement of dissatisfaction made about actions taken or lack of action. Although most concerns and complaints are best dealt with informally at the first stage, young people or parents/carers are free to resort to the complaints protocol if they judge their complaint as urgent.

Stage 2: formal complaint by an individual

In the formal stage of the complaint process the following steps should be followed:

- The complaint should be put in writing, addressed to the two Co-Headteachers, setting out briefly the facts, and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
- An investigation will be carried out by the Co-Headteachers as appropriate, and the Co-Headteachers may at this stage offer the complainant a formal meeting if appropriate. This meeting may include the Co-Headteachers and/or

another member of staff if relevant and whenever reasonably possible will be done within 15 school days of the written complaint being received.

- The Co-Headteachers will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting has been arranged it will be within 25 school days of the written complaint being received.
- Where the complainant remains dissatisfied, they may request the complaint is dealt with at Stage 3. Any such request must be set out in writing, stating where the complainant remains dissatisfied and this must be lodged within 10 school days of the complainant receiving the findings in writing.
- Any complaint relating to one of the two Co-Headteachers of the school must be raised in the first instance with the Director who will, if an informal resolution cannot be reached, designate a member of the Board of Trustees to investigate the complaint as per Stage 3. Stage 2 does not apply to a complaint against either of the two Co-Headteachers. For complaints against members of the Board of Trustees please note the process to follow as set out at the end of this policy.

Stage 3 – formal resolution: board of trustees

- The complainant must put the complaint in writing, addressed to the Chair of Trustees, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations. An indication of the anticipated outcome should also be included.
- The chair of trustees may appoint a member of the board to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received. The complaint details should not be shared with the board of trustees at this point to ensure impartiality of trustees if stage 4 is required.
- The investigator will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.
- Where the complainant remains dissatisfied, they may request the complaint is dealt with at Stage 4. Any such request must be set out in writing, stating where the complainant remains dissatisfied and what remedies are being sought. This must be lodged within 10 school days of the complainant receiving the findings in writing. The request must be addressed to Chair of Trustees.

Stage 4 – formal resolution: panel hearing

- A complaints panel of the trustees will consider all complaints at Stage 4. The panel will consist of at least 3 trustees who have not been involved in the process to this point and it will be chaired by an independent person not involved with the management and running of the school. In extreme cases, where necessary and if this is not possible, external support may be gathered from other local schools, individuals or organisations.
- None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint.
- The independent chair will invite the school to put in writing its response to the complainant's reasons. The school will provide this within 15 school days of receiving the request. At the end of that period (whether or not the school has responded) the independent chair will convene a meeting of the complaints panel. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the complaints panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
- The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put their reasons for dissatisfaction and to enlarge on them, but may not introduce reasons that were not previously put in writing. The school will have the opportunity to give its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
- The panel may make findings and recommendations and a copy of those findings and recommendations will be sent by electronic mail or otherwise given to the complainant and where relevant, the person complained about. They will also be available for inspection on the school premises by the trustees and the Co-Headteacher's.
- The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the independent chair will notify all concerned.

Attendance at a complaints panel hearing

The complaints panel will proceed irrespective of whether or not the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Reopening of resolved complaints

If at any time a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the chair of the board of trustees may write to the complainant to inform them that the procedure has been exhausted and the matter closed; that continued correspondence on the same matter is vexatious and that the school or trustees will not respond to any further correspondence on this issue or a closely related issue.

Vexatious or Repeated Complaints

A complaint which has been considered under all stages of this procedure and is raised again may be defined as a repeated complaint. Unreasonable, persistent complaints, trivial complaints and/or complaints that do not affect the Complainant may be regarded as vexatious.

Complaint against a member of the board of trustees

Where a complaint is brought against a member of the trustees, the chair will investigate the complaint (or appoint another member of the board to do so) in the same way as in the first stage of the formal process at Stage 3. Stage 2 does not apply. If the complaint is against the chair of the trustees, then the vice chair will investigate the complaint (or appoint another member of the board) in the same way as in the first stage of the formal process at Stage 3. Stage 2 does not apply.

In exceptional circumstances the chair of the board of trustees may at his or her absolute discretion determine that a complaint against one of the two Co-Headteacher's, Director or member of the board should be dealt with at board level and if so determined, the chair of the board of trustees will oversee Stage 3.

Record keeping

A written record will be kept of all complaints that were resolved at the informal or formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 1, stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the school or board of trustees (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential by all parties except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

Education and skills funding agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at: <https://form.education.gov.uk> or you may write to the Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD

Complaints relating to fulfilment of the EYFS requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 days;
- The Co-Headteachers will investigate the concern or complaint which may include meeting with the complainant and the teacher of early years.
- A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the complainant remains dissatisfied, the co-headteachers will ensure that a formal complaints panel will be convened in accordance with stage 4 of this policy

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that concerns regarding whether the school meets the EYFS requirements they may contact Ofsted on 0300 123 4666.

Copyright Notice:

This document and its content is copyright of The New School (UK) - © The New School (UK, 2023). All rights reserved. Any redistribution or reproduction of part or all of the contents in any form is prohibited other than the following:

- *you may print or download to a local hard disk extracts for your personal and non-commercial use only*
- *you may copy the content to individual third parties for their personal use, but only if you acknowledge the website as the source of the material*

You may not, except with our express written permission, distribute or commercially exploit the content. Nor may you transmit it or store it in any other website or other form of electronic retrieval system

Privacy Statement

Who we are: *The New School is the Data Controller.*

Why do we need your data: *Your and your child's details are required by the school to facilitate your child's admission to the school.*

What is the lawful basis for processing this data: *This information is necessary for the school's legitimate interests.*

Who will this data be shared with: *We will only share your data with third parties if we are legally obliged to do so.*

How long will we keep your data: *we will hold your data for as long as we have a lawful basis to process your data.*