



Complaints Policy

(Latest addition Appendix 5 - Nov 2016)

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Next Review Date: July 2018

Staff Responsible
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Vale of Evesham School
a specialist school for cognition and learning - working education in the community

KEY PRINCIPLES

- **Working in Partnership** – the school recognises that pupils, parents, carers, staff and others involved with the children outside school are important partners in providing a happy and safe environment in which children may learn. It is an equal partnership, based on good communication between all concerned.
- **Early intervention** – When there are concerns or worries it is important that they are addressed at the earliest opportunity, so that the relevant people can work together to find a solution.
- **Fairness and consistency** – The complaints procedure is a process, which is designed to be fair and consistent. It is hoped that the majority of issues can be resolved informally. It is important that pupils, parents, carer, staff and others involved with the children outside of school, feel confident that at whatever stage the process is fair and consistent and that all concerned are kept informed of progress in their concern.

GUIDANCE

All complaints are recorded in the School's Record of Complaints (see Appendix 2), including any issues which require prompt referral elsewhere for example to Children's Services where Child Protection procedures are involved.

Any person who is the subject of a formal complaint is precluded from taking any responsibility for the consideration or response to that complaint.

It is expressly forbidden that any reprisals are taken against children or others making a complaint.

English Language Requirement for Public Sector Workers

On **21 November 2016** the Code of Practice on the English Language Requirement for Public Sector Workers (part 7 of the Immigration Act 2016) came into force. Please see appendix 5 information regarding a complaint relating to meeting the fluency duty.

PARENTS

Parents are advised about the procedures for complaints in the School Prospectus and on the school website.

Posters are displayed around the school informing pupils, parents & carers of how to contact Ofsted.

Staff will always be ready and willing to listen to parents' queries or feedback that might result from a complaint. The Headteacher or the Head of Care (in residential settings) always explores any complex situations directly with parents.

PUPILS

Pupils too may wish to share their concerns or anxieties and to this end all staff are encouraged to develop sound listening skills and to follow laid-down procedures in confidentiality. In order to provide an independent 'ear', the School Nurse is available to offer private consultation, at the request of any pupil.

Pupils can use the School Council System to voice concerns and complaints.

Posters are displayed all around school to facilitate all pupils in this area.

For pupils unable to express their concerns, the school recognises the critical role of parents and staff's ability to attend to children's expressions of unhappiness or distress swiftly.

STAFF

There may be occasions when a member of staff feels aggrieved about the actions or omissions of another member of staff or the management of the school. The majority of problems can be resolved by the mutual understanding of those concerned.

GENERAL PUBLIC

Any complaints received from the general public will be dealt with by the Headteacher, and most issues will be resolved in this way. If the issue is not resolved, then the Chair of Governors will arrange a meeting.

If no resolution is found, Advance Trust is the next stage for referral.

Department of Education is the final stage of referral if no resolution is found at school or Trust level. (See appendix 3)

List of Appendices

Appendix 1	Complaint Form
Appendix 2	School's Record of Complaints Proforma
Appendix 3	Extract for School Prospectus
Appendix 4	Flowchart
Appendix 5	Complaints relating to the Code of Practice on the English Language Requirement for Public Sector Workers

Appendix 1 Complaint Form



Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. (If your complaint is against the Headteacher, you will need to send the form to the Chair of Governors).

Name:	Address:
Pupil's name:	
Pupil's date of birth:	
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
What is your complaint concerning, and what action would you like the Headteacher to take?	
When did you discuss your concern/complaint with the appropriate member of staff?	
What was the result of that discussion?	
Signed:	Date:



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APPENDIX 2



School's Record of Complaints

Person Making the Complaint	Date of Complaint	Nature of Complaint	Action Taken	Serious Complaint referred to Commission for Social Care	Outcome

APPENDIX 3
Extract for School Prospectus



There may be occasions when parents are unhappy about issues to do with School and their children. Please do always come to talk to us or telephone if you have any concerns.

Any complaints or concerns should, in the first instance, be brought informally to the attention of the class teacher or, where this is inappropriate, to the attention of the Headteacher.

If you feel the issue has not been satisfactorily resolved, then you will need to raise a formal complaint with the Headteacher (Stage 2 on appendix 4).

If you still feel that the issue has not been resolved by the Headteacher, then a formal complaint should be submitted to the Clerk to the Governors (who will acknowledge receipt of the complaint and inform the Governors that a complaint has been received).

The Chair or nominated governor will convene a complaints appeal panel. The hearing will normally take place within ten working days of receipt of the written request. The aim of the appeal panel is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The parent(s) are allowed to attend and be accompanied if they wish.

Invited Parents/complainants may be accompanied by a person of their choice at the panel meeting.

As the panel cannot be made up solely of governing body members, because they are not independent of the management and running of the academy, it is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. Therefore, at least one member of the panel will be independent of the management and running of the school.

All parties will be notified of the Panel's decision in writing within five working days after the date of the hearing.

Stages four and five as detailed in Appendix 4 are also available if stage 3 outcome is not accepted by the complainant. The same process will be followed to invite the complainant, and an accompanying person, to a meeting with a panel consisting of Trust Board Directors and at least one independent member.

Complaints that remain unresolved, at either school or Trust level, may be referred to the Department for Education/Education Funding Agency through an online service:

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Contact the Department for Education

* denotes mandatory field

I would like to submit a: *

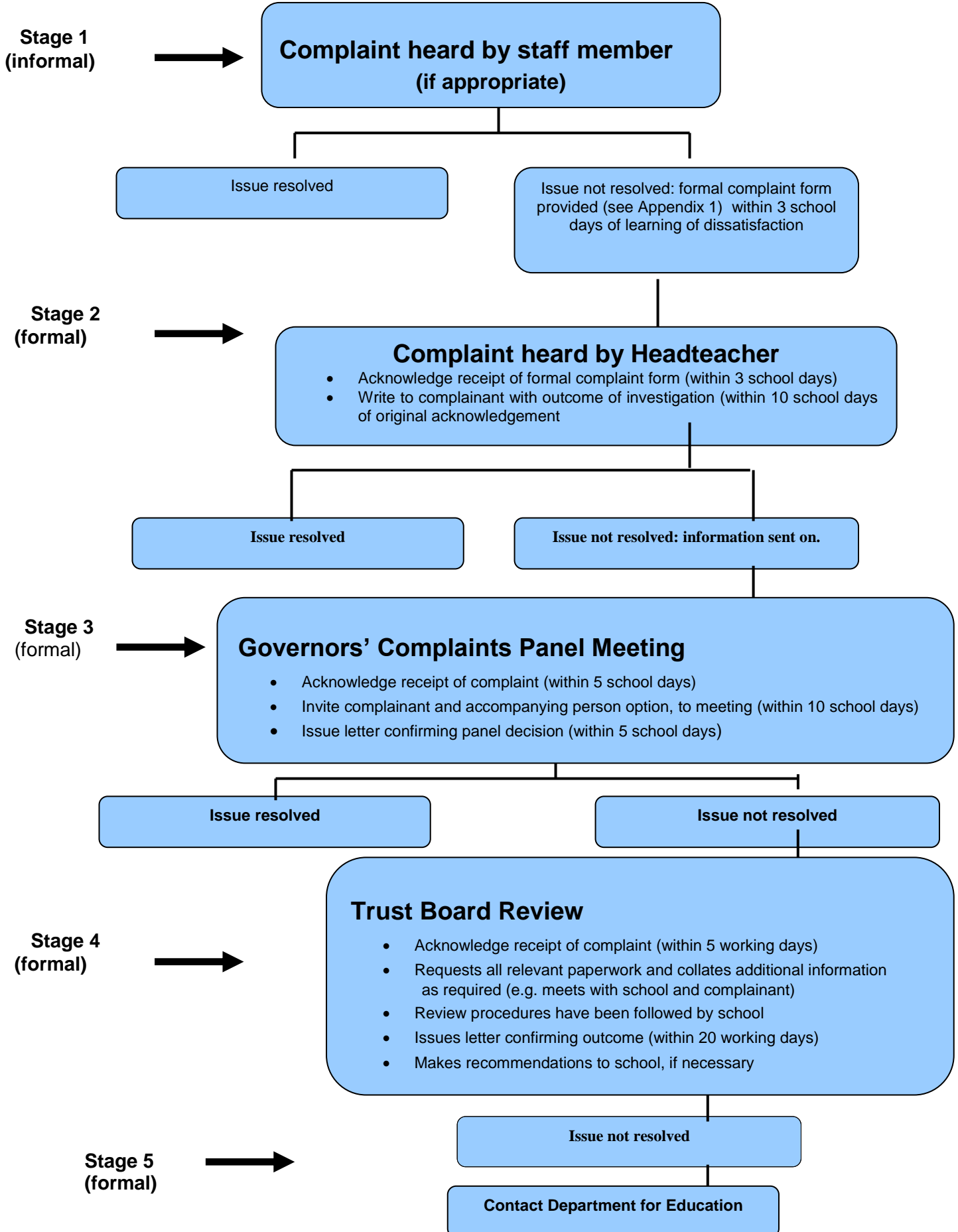
- question
- comment/feedback
- complaint
- disclosure in the public interest (including whistleblowing)
- freedom of information (FOI) request

Submit

The vast majority of concerns can be cleared by talking to the School and you are strongly advised to voice your concerns when you have them to avoid them growing into a serious disagreement. You can be assured of a sympathetic and reasonable hearing.

Appendix 4

School Complaints Procedure/Policy Flowchart



Appendix 5

Complaints relating to the Code of Practice on the English Language Requirement for Public Sector Workers

What is the requirement?

The school has a duty to ensure that all employees in roles requiring contact with members of the public (pupils, parents, etc.) as an integral part of their role, are able to converse fluently and accurately in English.

The recruitment process and performance management are designed to ensure that our employees meet the required standards.

If you feel that we have not met this duty you are able to make a complaint.

When can I make a complaint?

You can make a complaint if you feel that an employee in a customer-facing role has insufficient proficiency in spoken English for the performance of their role.

What is not covered in the Code of Practice?

Complaints about regional or international accents, dialect, manner or tone of communication, origin or nationality are not considered legitimate complaints under the fluency duty.

The school will also not take forward any vexatious, oppressive, threatening or abusive complaints in relation to this fluency duty. Complaints which are without foundation and/or which are intended to result in harsh or wrongful treatment of the person who is the subject of the complaint.

How do I make a complaint?

Please follow the School's Complaints Procedure.

All legitimate complaints will be investigated in accordance with the complaints procedure and the school will assess the merits of the complaint against the necessary standard of spoken English fluency required for the role in question.

Any member of staff who is the subject of the complaint has a right to be notified of the complaint and any action being taken in relation to it.

Where a complaint is upheld the school will consider what steps can be taken to meet the fluency duty.



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