



COMPLAINTS PROCEDURE

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Policy	Date	By
Created on	07-12-2011	SMG members
Adopted by Council on	20-03-2013	All Trustees
Frequency of review	Annually	SLT Member(s)
Reviewed on	21-05-2013	Nico Sialelli, Principal
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Reviewed on	06/03/2016	Nico Sialelli
Reviewed on	30/03/2017	Nico Sialelli
Reviewed on	11/07/2018	Alison Davis
Reviewed on	05/09/2019	Alison Davis

1. SCOPE OF THIS POLICY

Through the whole staff team, the School aims to implement effective procedures to ensure that all complaints are addressed without delay and that the complainant is kept informed of progress. The policy has been written with the intention that it complies with the **Children's Homes Regulations 2015** "Complaints and Representation" [39], the **Education (Independent School Standards) (England) Regulations** [Schedule 1, paragraph 7] and experiences of best and proven practice of Sheiling School. This policy is intended to cover all types of complaints, including the following:

1. Complaints made by children and young people.
2. Complaints made by people with parental responsibility or the young people's representatives.
3. Complaints made by Placing Authorities and other agencies.
4. Complaints made by others not directly involved with the School, such as people within the local community.

2. AIM AND GENERAL PRINCIPLES OF THIS POLICY

The School aims to reach a conclusion on all formal complaints within 28 days of receiving the complaint and to achieve a satisfactory resolution wherever possible.

All complaints will be treated seriously and every effort made to resolve them as quickly as possible, and wherever possible to the satisfaction of the complainant. Any delay in dealing with a complaint may leave someone at risk and may make the situation worse.

The policy however distinguishes between a concern or difficulty which can be resolved informally, and a formal complaint which will require investigation.

It is never acceptable for anyone to try to protect a friend, colleague or young person who appears to be involved in any sort of wrongdoing: such failure to record and deal with the complaint may be considered misconduct.

Any person who is directly or indirectly the subject of a complaint must take no part in investigating or deciding upon the outcome of that complaint.

There must be no reprisals against children or others making a complaint.

There are no restrictions placed on issues that may be complained about.

3. SAFEGUARDS

The School will not tolerate any form of harassment or victimisation against a complainant, including any pressure to prevent a complaint being made, withdraw a complaint, or any attempt to misuse a position or role to influence the course of a complaint at any stage. The School will take appropriate action to protect any one wishing to raise a complaint.

The School is committed to good practice and high standards and aims to achieve a balance between individual rights and support for staff in carrying out their duties. This may include arranging an independent investigation of a complaint.

4. THE ROLE OF SHEILING SCHOOL'S COMPLAINTS MANAGER

The School's **Complaints Manager – Alison Davis** is the nominated representative of the School for dealing with complaints made by young people. Any complaint made about or involving the **Complaints Manager** should be made to the **CEO**. Where a complaint is about or involving the **CEO, Responsible Individual or the Chair of the Board of Trustees** the **Complaints Manager** will discuss the complaint directly with the School's **Independent Visitor**.

The **Complaints Manager** is responsible for:

- Receiving any complaints, and making appropriate contact with any complainant where possible within 24 hours, or 72 hours if the complaint is made over a weekend.
- Making a written record of the name of the person making the complaint, date and time of the complaint, nature of the complaint, action taken and outcome of the complaint.
- Ensuring that complainants are kept informed about the progress of their complaint and are provided with details about the outcome, in an accessible format at the earliest opportunity.
- Regularly reviewing complaints by children and those concerning the welfare of children, and to check satisfactory operation of the complaints procedure, identifying both patterns of complaint and action taken on individual complaints. The **Complaints Manager** liaises with the Senior Leadership Team to present collated and analysed information on complaints made and their outcomes.
- Ensuring that if a young person's complaint cannot be resolved satisfactorily through the School's own 5 step procedure, the School writes to the young person's placing authority and (where appropriate) parents, detailing the complaint (if this has not already been done) and the action taken so far.
- Ensuring that the School's **Complaints Policy** and procedures are reviewed at least annually in consultation with the School's **Responsible Individual** and **Chair of the board of trustees** and **Senior Managers**.

5. RAISING A CONCERN OR MAKING A COMPLAINT TO THE SCHOOL

5.1. Concerns & Difficulties

The Sheiling School Complaints Manager is Alison Davis, Head of HR.

The School expects that most concerns where a parent or young person seeks intervention, reconsideration or some other action to be taken to be resolved informally. These concerns may include dissatisfaction with some aspect of teaching or care, or about allocation of privileges or responsibilities, or some other aspect of the School's systems or equipment. Please raise the concern initially as follows -

- **Education issues** - if the matter relates to the classroom, the curriculum or a pupils' special educational needs please speak or write to the **Head of Education**.
- **Care** - for concerns relating to matters outside of the classroom or in the House, please speak or write to the **Care Manager**.
- **Financial matters** - a query relating to fees or extras should be stated in writing to the **Responsible Individual**.

Acknowledgement: The School will acknowledge a written notification by telephone, fax, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but a written record will be entered into the School's comprehensive database system.

Unresolved concerns: A concern which has not been resolved by informal means within 15 working days should be notified in writing as a **formal complaint** which will be dealt with in accordance with the following procedure.

6. Formal Complaint by a Child / Young Person

6.1. Step 1

Where appropriate, refer the pupil (or their friend, parent, advocate etc) to the **Young Person Complaint Pro-forma (attached)**. If a young person makes a verbal complaint to anyone else but the **Complaints Manager** the person receiving the complaint is responsible for ensuring that a written record is made of the complaint using a copy of the School's Complaints Form. The record of the complaint, whether written by the young person, staff or others must not be destroyed.

If the complaint indicates that there has been, or may soon be, a risk of serious harm to any person or serious damage to property, one of the School's *Senior Staff* should be notified immediately by contacting the Main School on 01454 412194 during normal office hours or, if out of hours, via the CEO: 07871795846.

6.2. Step 2

Young people's complaints must be reported to the **Complaints Manager** at the earliest opportunity. This may be in the form of:

- Face-to-face contact, e-mail message or via the telephone.
- A completed complaint form.

- A written report.

6.3. Step 3

The **Complaints Manager** acknowledges receipt of the complaint with the complainant within 48 hours. This could be verbally, face to face, via e-mail message, or by telephone. A hard copy of the completed complaint form or report is then stored in the designated "**Young People Complaints Folder**".

6.4. Step 4

The **Complaints Manager** investigates the complaint. The **Complaints Manager** then makes a written record detailing action taken and the outcome of the complaint. This information is stored alongside the complaint within the "**Young People Complaints Folder**".

6.5. Step 5

The complainant is informed of the outcome of their complaint no later than 28 days from receipt of the formal complaint. If this is not possible due to exceptional circumstances outside the School's control, the **Complaints Manager** will notify the complainant that this time frame is unachievable and explain why. The **Complaints Manager** will then provide the complainant with progress reports on the complaint on a regular basis until the outcome can be reported.

7. IF THE COMPLAINANT IS NOT SATISFIED WITH THE OUTCOME OF THE COMPLAINT

7.1. Complaints Panel - complaints by parents/carers

If a parent/carer is not satisfied with the outcome of the complaint, he or she can ask for the complaint to be referred to a **Complaints Panel**.

The Panel will consist of at least three people who are not directly involved in the complaint. At least one member of the Panel will be independent of the management and running of the School.

Parents/carers may attend the Panel hearing and can be accompanied if they wish.

Notification: To request a hearing before the **Complaints Panel** parents/carers should write to the **CEO** within seven working days of the decision complained of. The request will only be considered if the procedures at Steps 1 - 5 have been completed. Parents/carers should ensure that a copy of all relevant documents and full contact details accompany the letter. The letter should state the desired outcome and all the grounds of the complaint. A list of documents, which are believed to be in the School's possession that the parent/carer would like seen by the Panel, should be sent with this letter. The **CEO** will acknowledge the request in writing within four working days.

Convening the Panel: The **CEO** will convene the **Complaints Panel** as soon as is reasonably practicable. The Panel will normally consist of a minimum of three individuals who have no

detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be an independent member who has no responsibility for the management and running of the School. The other members of the Panel are likely to be **Senior Staff** who have not so far been involved in the complaint. Parents may ask the School to tell them who has been appointed to sit on the Panel.

Notice of hearing: As soon as is reasonably practicable, the **CEO** will send written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

Attendance: Parents/carers will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified, but if parents do wish to be accompanied by a legally qualified person, acting in their professional capacity, they are asked to notify the School at least seven days before the hearing. A pupil concerned aged 13+ may attend part or all of the hearing if appropriate and at the discretion of the **Chairman**. Copies of additional documents parents/carers wish the Panel to consider should be sent to the **CEO** at least three clear days prior to the hearing.

Chairman: The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

Hearing: All present at the hearing will be entitled, should they wish, to write their own notes for reference purposes. The School will take minutes of the proceedings in any event.

Evidence: The **Chairman** will conduct the hearing in such a way as to ensure that all those present have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

Conduct: All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the **Chairman**. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.

Adjournment: The **Chairman** may at his/her discretion adjourn the hearing for further investigation of any relevant issue.

Decision: After due investigation of the matters discussed at the hearing, the Panel shall make findings and reach a decision. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing within seven working days. Reasons for the decision will be given. The decision will include any findings and recommendations and will be sent to parents/carers (complainants), the proprietor (**Chair of Board of Trustees**) and the **CEO**, and, where relevant, any person about whom the complaint has been made.

Private proceeding: A hearing before the **Complaints Panel** is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

Confidentiality: Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by Regulation, or where disclosure is required on legal grounds.

7.2. Complaints by Young People

Where the complainant is a young person who is not satisfied with the outcome of the complaint the **Complaints Manager** will arrange for a **Senior Staff member** from a different area of operation to carry out a new investigation of the complaint.

- The **Chair of the Board of Trustees** may ask the School's **Independent Visitor** to investigate a complaint about any of the School's departments.

8. REPORTING A COMPLAINT TO OFSTED

Any person could also make a complaint to **OFSTED** on: **0300 123 4234**, or in writing to: **OFSTED**, Piccadilly Gate, Store Street, Manchester M1 2WD. **OFSTED** are responsible for the inspection of **Schools and Children's homes** and work closely with the School.

9. COMPLAINTS BETWEEN STAFF

A personal grievance between individual members of staff about work issues that cannot be resolved informally or in supervision should be raised and dealt with under the School's '**Grievance Procedure**'. Grievances between individual members of staff that arise out of, or relate to, non-work issues are not within the School's jurisdiction. If such grievances have an impact upon staff performance or the reputation of the School they will be dealt with through staff performance appraisal and disciplinary procedures as appropriate.

10. PROCEDURE FOR DEALING WITH COMPLAINTS MADE FROM OUTSIDE THE SCHOOL

Concerns or complaints made to the School by members of the local community and others will be dealt with in accordance with the principles set out in this policy. The School wishes to be made aware of any such complaints as soon as possible. Every effort will be made to investigate and resolve such complaints as quickly as possible in order to promote and maintain good relationships with appropriate family members, significant others, independent visitors, others involved with children placed at the school from outside the home, the School's neighbours and the local community.

11. Reporting a Complaint to the School

(Complainant)

- Contact the school and report your complaint.
- You can report your complaint verbally by telephoning the School during normal office hours Monday to Friday on 01454 412194. Wherever possible you will be offered the chance to discuss your complaint with one of the School's **SLT members**. All staff members are familiar with the School's complaints procedure.

Complaints may be made outside of the normal working day to the **Complaints Manager**:

- You can report your complaint in writing by completing the School's complaints pro forma (see pro forma) or writing a letter of complaint, which should include the informal and / or formal outcomes, you desire. You could also send your complaint by e-mail to **mail@sheilingschool.org.uk** or by fax on 01454 411860.
- Complaints by young people should be addressed to:

Complaints Manager
Sheiling School
Thornbury Park
Park Road
Thornbury
BS35 1HP

Complaints by parents/carers or placing authorities should be addressed to the **Complaints Manager** – all at the above address.

12. SCHOOL COMPLAINT RESPONSE

- The School's **Complaints Manager** will contact you either verbally or in writing to acknowledge receipt of your complaint. This will normally be within 24 hours, or 72 hours for complaints made over a weekend.
- As soon as the investigation is completed the **Complaints Manager** will inform the complainant of the findings, conclusions and method of resolution suggested by the School.
- The complainant is then asked to confirm to the **Complaints Manager** whether they accept the outcome of the investigation and the resolution offered within a maximum of 7 working days from the date the complainant is notified of the outcome.
- If the complainant does not accept the proposed resolution the matter may be referred to the **Chair of the Board of Trustees** for further consideration and decision.

Chair of the Board of Trustees – Anthony Nowlan

Sheiling School
Thornbury Park
Park Road
Thornbury
BS35 1HP
07884 264680

Anthony.nowlan@thornleigh.org.uk

- The **Chair of the Board of Trustees** will inform the complainant of any further action they may take in relation to the complaint, e.g. referring the complaint to a Placing local Authority, or **Ofsted**.

Sheiling School

Complaint Form for Children and Young People

All complaints are first read by the Complaints Manager. The Complaints Manager will then contact you as soon as possible before he or she looks into it further. This may mean speaking to any staff who need to be involved, for example Head of Education or Head of Care, one of your teachers, a member of the care staff, or another young person. They will then speak to you in person to explain what actions have been taken to address your complaint and to check that you are happy with his response. You can also choose to send your complaint to an appropriate person such as your Social Worker or an Inspector outside of the School. You can ask any member of staff for help if you wish.

Young person's name

I am..... years old.

Helped by:

(Please remember to write your complaint in this box and not just who or what the complaint is about)

My complaint is:

What I would like to happen is:

Please remember: it may not always be possible, or appropriate for this to happen.
(Please continue on another sheet of paper if necessary)

Signed.....

Date.....

Complaint Form for Parents/Carers/Placing Authorities

This complaint form should go to the School's **Complaints Manager** either by hand, e-mail or by post, he will then ensure that it is looked into for you. You could also make a complaint to **Ofsted** on: **0300 123 4234**, or in writing to: **Ofsted**, Piccadilly Gate, Store Street, Manchester M1 2WD
Ofsted are responsible for the inspection of **Schools and Children's Homes**, and work closely with the School.

For the attention of the School's:

Complaints Manager

Sheiling School
Park Road
Thornbury
Bristol BS35 1HP

Tel 01454 412 194

mail@sheilingschool.org.uk

If your complaint is about or involves the **CEO** you should send this form and any accompanying documentation to the School's **Chair of the Board of Trustees** at the address below, who will investigate your complaint.

Chair of the Board of Trustees – Anthony Nowlan

Sheiling School
Thornbury Park
Park Road
Thornbury
BS35 1HP
07884 264680

Anthony.nowlan@thornleigh.org.uk

Name of person writing the complaint:.....

Details of your complaint and your desired outcomes. This could include both informal and formal solutions:

(Please continue on a separate sheet if necessary)

Signed.....

Date.....