



## COMPLAINTS POLICY

Policy	Date	By	Changes Made
Created on	07/12/2011	SLT members	
Adopted by Governors	07/12/2011		
Frequency of review	2 years	SLT Member(s)	
Last Reviewed	29/09/2023	Claire Nolan	Updated CEO to Principal

### 1. SCOPE OF THIS POLICY

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

This policy is intended to cover all types of complaints, including the following:

1. Complaints made by pupils, including about our delivery or administration of exams if an initial complaint to the staff member responsible for exams has not been satisfactorily resolved.
2. Complaints made by people with parental responsibility or the young people's representatives, including our delivery or administration of exams.
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.

There is a separate complaint procedure for complaints related to our Children's Home provision.

This procedure does not cover the complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.

Matters likely to require a Child/Adult Protection Investigation	<p>Complaints about child/adult protection matters are handled under our Child and Adult protection policies and in accordance with relevant statutory guidance.</p> <p>If you have serious child or adult protection concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Access and Response Team (ART).</p> <p>South Glos LADO: 01454 868 508 South Glos ART: 01454 866 000</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the Local Authority or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, for example, the police, local authority (LA) safeguarding teams or Tribunals, this may impact our ability to adhere to the time scales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the School in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

**2. AIM AND GENERAL PRINCIPLES OF THIS POLICY**

## The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of this procedure. The School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

## 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 timeframe 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.

We aim to resolve any complaints in a timely manner. Timescales for each stage of the Complaints Procedure are set out below in the relevant paragraphs.

For the purposes of this policy, a "**school day**" is defined as a weekday during term time, when the school is open. The definition of "school day" excludes weekends and Bank Holidays.

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**.

If at any point we cannot meet the timescales 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

## 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 anyone 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.

The Board of Governors will monitor the level and nature of formal complaints within the School. The Governors will regularly review the outcomes to ensure the effectiveness of the School's Complaints Procedure and make changes where necessary. The reports made to the Board will not name individuals.

The Complaints Manager will review this Policy at least annually, in consultation with the Principal and the Board of Governors.

#### 4. THE ROLE OF THE COMPLAINTS MANAGER

The School's **Complaints Manager** is the nominated representative of the School for dealing with complaints. Any complaint made about or involving the **Complaints Manager** should be made to the **Principal**. Where a complaint is about or involving the **Principal** or **the Chair of the Board of Governors**, 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 2 school days.
- 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 checking the satisfactory operation of the complaints procedure, identifying both patterns of complaint and action taken on individual complaints.
- Liaising with the Senior Leadership Team to present collated and analysed information on complaints made and their outcomes.

#### The Sheiling School's Complaints Manager is Asanka Hewage

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

Tel. 01454 412 194

Email: [complaints-manager@sheilingschool.org.uk](mailto:complaints-manager@sheilingschool.org.uk)

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

### Stage 1: Informal

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Where a person has a concern about any aspect of the School, or their child's education or well-being, they should raise this with the School's Complaints Manager or with a member of the School's Senior Leadership Team.

If the person has difficulty discussing a concern with a particular member of staff, we will respect the person's views. In these cases, the Complaints Manager will refer the person to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Complaints Manager will refer the person to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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 the 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 pupil's special educational needs, and the issue has not been resolved after discussing it with the Class Teacher, please write to the **Head Teacher, Dean Frances-Hawksley** at [deanhf@sheilingschool.org.uk](mailto:deanhf@sheilingschool.org.uk)
- **Care** - for concerns relating to the Children's Home's provision, please refer to the separate policy or write to the **Head of Care, Victoria Welsh** at [victoria.welsh@sheilingschool.org.uk](mailto:victoria.welsh@sheilingschool.org.uk)
- **Financial and other matters** - a query relating to finance or other matters should be stated in writing to the **Principal, Justin Davey** at [justin.davey@sheilingschool.org.uk](mailto:justin.davey@sheilingschool.org.uk)

**Acknowledgement:** The School will acknowledge a notification of concern by telephone, e-mail or letter within 2 school days of receipt.

**Unresolved concerns:** A concern which has not been resolved by informal means within 15 school days should be notified in writing as a **formal complaint** (see Stage 2).

In addition, we understand that there are occasions when people would like to raise their concerns formally. In this case, the School will attempt to resolve the issue through the stages outlined below.

## Stage 2: Formal

The formal stage involves the complainant putting the complaint to the Complaints Manager:

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

The School's **complaint forms** can be found on the last pages of this document. The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The School will refuse to accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

If complainants need assistance raising a formal complaint, they can contact the school office by phone (01454 412 194) or email ([mail@sheilingschool.org.uk](mailto:mail@sheilingschool.org.uk)).

The Complaints Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days.

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**.

The Complaints Manager will then conduct their own investigation as quickly, and efficiently as possible. The written conclusion of this investigation will be sent to the complainant as soon as possible after the investigation is completed. This process can only be conducted during school days.

If the complainant is not satisfied with the response, they should follow the next stage of this procedure (Stage 3).

## Stage 3: Review Panel

If the complainant is not satisfied with the outcome of the complaint, he or she can ask for the complaint to be referred to the **Review 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.

The complainant may attend the Panel hearing and can be accompanied if they wish.

**Notification:** To request a hearing before the **Review Panel** the complainant should write to the **Principal** within 7 school days of Stage 2 being completed (the request will only be considered if Stage 2 has been completed). The complainant 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 complainant would like seen by the Panel, should be sent with this letter. The **Principal** will acknowledge the request in writing within four school days.

**Convening the Panel:** The **Principal** will convene the **Review 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. Complainants 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 **Principal** 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:** The complainants 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 complainants do wish to be accompanied by a legally qualified person, acting in their professional capacity, they are asked to notify the School at least 5 school 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 **Chairperson**. Copies of additional documents the complainant wishes the Panel to consider should be sent to the **Principal** at least three school days prior to the hearing.

**Chairperson:** 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. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. 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.

**Evidence:** The Chairperson 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 Panel will refuse to accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. 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 Chairperson. 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 recorded in the meeting minutes.

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

**Outcome:** After due investigation of the matters discussed at the hearing, the Panel shall make findings and reach a decision. The Panel's decision will be given in writing within 7 school days.

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

Reasons for the decision will be given. The decision will include any findings and recommendations and will be sent to the complainant, the Chair of the Board of Governors and the Principal, and, where relevant, any person about whom the complaint has been made.

**Private proceeding:** A hearing before the **Review 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.

## Complaints by pupils

Where the complainant is a pupil who is not satisfied with the outcome of the complaint the **Complaints Manager** may arrange for a **Senior Staff member** from a different area of operation to carry out a new investigation of the complaint. Alternatively, the **Principal** may arrange for an independent person to investigate the complaint.

If a pupil's complaint cannot be resolved satisfactorily through the School's own procedure, the School will write to the pupil's placing authority and (where appropriate) parents, detailing the complaint (if this has not already been done) and the actions taken so far.



## 6. REPORTING A COMPLAINT TO THE DEPARTMENT FOR EDUCATION OR OFSTED

If the complainant is unsatisfied with the outcome of the School's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Complainants can also refer the complaint to Ofsted.

**Ofsted** - **0300 123 4234** for schools or **0300 123 4666** for children services, or in writing to: **Ofsted**, Piccadilly Gate, Store Street, Manchester M1 2WD. **Ofsted** are responsible for inspecting Schools and Children's homes.

## 7. 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, and others involved with children placed at the School from outside the home, the School's neighbours and the local community.

## 8. ANONYMOUS COMPLAINTS

The School will not normally investigate anonymous complaints. However, the Head Teacher, the Chief Executive Officer or the Chair of Governors, as appropriate, will determine whether the complaint warrants an investigation.

The decision for this will be recorded within the School's Complaints Database.

## 9. PERSISTENT COMPLAINTS

### Unreasonable and/or persistent complaints

Most complaints raised will be valid, and therefore the School will treat them seriously. However, some complaints may be problematic. It is by no means an exhaustive list and factors may vary, but these are some examples:

- The person has made the same complaint before, and it has already been resolved by following the School's complaints procedure

- The person makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- The person introduces new information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed questions which are particularly time-consuming and costly to respond to and insists they are all fully answered
- The person insists on pursuing a complaint that is unfounded, or out of the scope of the complaints procedure, beyond all reason
- The person pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- The person makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- The person seeks unrealistic outcomes or a solution that lacks any serious purpose or value
- The person makes a complaint either face-to-face, by telephone, in writing or electronically that is:
  - malicious
  - using threats or intimidation
  - using abusive, offensive or discriminatory language
  - knowing it to be false or using falsified information
  - publishing unacceptable information in a variety of media e.g. social media, websites, newspapers
  - makes insulting personal comments about or threats towards staff members
  - combinations of some or all of these

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.

### **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 above) wherever possible.

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

## **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.

New complaints from people who have come under the unreasonable or persistent complainant's policy will be treated on their merits.

## **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

## **Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the School's response, or wish to pursue the complaint further, the normal procedures will apply.

## **10. BARRING FROM SCHOOL PREMISES AND GROUNDS**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. We have a responsibility to ensure the well-being of pupils and staff and will therefore act to ensure that our school and grounds remain a safe place.

If a parent's or others' behaviour is a cause for concern, we will ask them to leave the school premises and grounds. In serious cases, the Head Teacher or Principal can notify them in writing that their implied permission to be on school premises has been temporarily revoked, subject to any representations that they may wish to make.

We will always give parents/guardians and individuals the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made and either confirmed or lifted. If the decision is confirmed, those concerned will be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Head Teacher or to the Principal.

**11. SHEILING SCHOOL - COMPLAINT FORM FOR PUPILS**

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, the Head Teacher or the 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.

Your 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 continue on another sheet of paper if necessary)

Signed.....

Date.....

## 12. COMPLAINT FORM FOR PARENTS/GUARDIANS/PLACING AUTHORITIES/OTHERS

This complaint form should go to the School's **Complaints Manager** either by hand, e-mail or by post; the Complaints Manager will then ensure that it is looked into for you.

### **Complaints Manager**

Sheiling School  
Park Road  
Thornbury  
Bristol BS35 1HP

Tel. 01454 412 194

Email: [Complaints-manager@sheilingschool.org.uk](mailto:Complaints-manager@sheilingschool.org.uk)

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

### **Chair of the Board of Governors – Graham Snell**

#### **Private & Confidential**

Sheiling School  
Thornbury Park  
Park Road  
Thornbury  
BS35 1HP

Tel. 01454412194 – reception will arrange for the Chair of Governors to call you back

Email: [governors@sheilingschool.org.uk](mailto:governors@sheilingschool.org.uk)

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

**Details of your complaint:**

**What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was their response?) :**

**What actions do you feel might resolve the problem at this stage? This could include both informal and formal solutions.**

**Are you attaching any paperwork? If so, please give details**

(Please continue on a separate sheet if necessary)

**Signed**.....

**Date**.....