



Complaints Procedure

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1. Introduction

- 1.1 Cotswold Chine School prides itself not only on the quality of the care and education provided to its pupils but also on the way in which it deals with others who come into contact with the School. However, it is acknowledged that there may be occasions when someone wishes to raise a complaint or concern about something or someone connected to the School. Should this occur, they can expect it to be managed by the School professionally and sympathetically to resolve the issue at the earliest possible stage.
- 1.2 With that in mind, the School's procedure for dealing with complaints aims to ensure that:
- the procedure for making and dealing with complaints is simple to understand and use
 - all complaints are dealt with in a timely way with the aim of putting things right if anything has gone wrong
 - anyone who makes a complaint is provided with an impartial and non-adversarial process for resolving their complaint
 - complaints are investigated fully and fairly by an independent person where necessary
 - people's desire for confidentiality is respected
 - the School provides an effective response to each complaint which addresses all the points at issue
 - the School's senior management team is provided with details of any complaints and their outcome so that any necessary improvements can be made where something has gone wrong.

2. What constitutes a complaint?

- 2.1 For the purposes of this procedure, a distinction is made between a "concern" and a "complaint". The difference between the two is as follows:
- a "concern" is an expression of worry, doubt or annoyance over an immediate issue or temporary state of affairs which can be quickly and fully resolved by the person with whom it is raised
 - a "complaint" is an expression of dissatisfaction with an act, omission or state of affairs which cannot be immediately resolved to the individual's satisfaction either because it requires further investigation or because the nature of the issue is such that an immediate resolution is not possible.

2.2 By their very nature, it is expected that most concerns can be resolved informally without the need to invoke formal procedures. Equally, it is hoped that it will be possible to resolve most complaints on an informal basis. However, there may be occasions when someone wishes to make a formal complaint in which case the procedure set out below will be followed.

3. Who can raise a complaint?

3.1 The complaints procedure is intended to cover all types of complaints, including complaints made by:

- pupils
- parents or those with parental responsibility
- placing authorities or other agencies, or
- others not directly involved with the pupils or the School, such as individuals within the local community.

3.2 However, certain types of concerns or complaints are subject to separate procedures and are therefore excluded from the scope of the Complaints Procedure. These include:

- staff grievances (which will be dealt with in accordance with the School's grievance procedure)
- disclosures by staff members of suspected wrongdoing (which will be dealt with in accordance with the procedure contained in the School's Staff Handbook)
- matters likely to require a safeguarding / child protection investigation (which will be dealt with in accordance with the School's Safeguarding Procedure)
- complaints in relation to any decision to exclude or terminate the placement of a pupil (which will be dealt with in accordance with the School's Termination of Placement Policy).

A concern or complaint about the safety of a pupil should be notified immediately to the person you believe is best placed to take urgent action and should also be reported to the Designated Safeguarding Lead in accordance with the School's Safeguarding Policy and Procedure.

4. Procedure for complaints by pupils

- 4.1 The appropriate procedure for dealing with a complaint will depend on the identity of the person who has made the complaint. The different procedures for each category of complainant are set out below.
- 4.2 A child friendly summary of the following procedure is contained in the 'Making a Complaint' section of the Children's Guide.

Stage 1 - Informal resolution

- 4.3 If any pupil is concerned about anything affecting them which they feel has not been satisfactorily resolved by staff members, they are encouraged to discuss the matter in the first instance with a member of senior management at a "Time In" meetings held in the Halfway Café.
- 4.4 In most cases, it is hoped that this discussion will enable the issue to be resolved to the pupil's satisfaction. However, if they remain dissatisfied with the outcome, they will be able to raise a formal complaint in accordance with the process set out under Stage 2.

Stage 2 – Formal Resolution

- 4.5 If a pupil wishes to make a formal complaint, the following procedure should be followed:
- The pupil should complete a written Complaint Form providing details of their complaint. If the pupil wishes to have the assistance on an independent advocate to assist them with this, the School will take all reasonable steps in order to facilitate access to an appropriate advocate.
 - The Complaint Form should normally be passed to the School's Complaints Manager - Hannah Dury (Education) Valerie Gomez (Care) - who is the nominated representative of the School for dealing with complaints made by pupils. If the Complaints Manager is not available or if the complaint is about or involves the Complaints Manager, the Complaint Form should be passed to the School's Principal (Tim Makaruk) who will then be responsible for dealing with the complaint. Where a complaint is about or involves the Chief Executive, the Complaints Manager will discuss the complaint directly with the Chair of Trustees.
 - The Complaints Manager will acknowledge receipt of the Complaint Form in writing - this will usually be done within 24 hours. The written acknowledgement will confirm the process that the Complaints Manager proposes to follow in order to deal with the complaint.
 - The Complaints Manager will ensure that the complaint is investigated and followed up. The Complaints Manager may deal with the complaint and make a decision personally or may ask an independent senior member of staff to act as an

"investigator" if the issues raised in the complaint require further investigation. The Complaints Manager or investigator may request additional information from the pupil making the complaint and will probably wish to speak to them personally.

- After the complaint has been investigated, the Complaints Manager will notify the pupil in writing of the decision, the reasons for it and what action (if any) will be taken in response to it. This notification will normally be given within 28 days of receipt of the formal complaint. If this is not possible due to circumstances outside the School's control, the Complaints Manager will ensure the pupil is notified and will provide an explanation of the reason for the delay. The Complaints Manager will also ensure that the pupil is provided with regular progress reports on the complaint until the outcome can be provided.

Stage 3 – Appeal

- 4.6 If the pupil is not satisfied with the outcome of their complaint under Stage 2 above, they should notify the Complaints Manager who will then arrange for a Senior Manager from a different department to review the decision taken under Stage 2. If necessary, the Senior Manager will carry out a further investigation of the complaint. The outcome of the review will be communicated to the pupil in writing as soon as reasonably possible. If it is not possible to confirm the outcome within 21 days of receipt of the request for a review, the Senior Manager will ensure the pupil is notified and will provide an explanation of the reason for the delay.

5. Procedure for complaints by parents / those with parental responsibility

Stage 1 – Informal Resolution

- 5.1 The School expects that most concerns and complaints by parents or those with parental responsibility can be resolved informally without the need to instigate a formal process. These may include dissatisfaction with some aspect of teaching or pastoral care, or some other aspect of the School's procedures. The School welcomes an informal approach and will seek to resolve the matter quickly.
- 5.2 The identity of the person to whom a concern or complaint should be raised in the first instance will depend on the nature of the issue, as follows:
- Education issues - if the matter relates to the classroom, the curriculum or a pupil's special educational needs, it should be raised with the Head-teacher.
 - Pastoral care - concerns relating to matters outside of the classroom or in the House should be raised with the House Manager for the relevant house.
 - Disciplinary matters - a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the relevant House Manager (if the incident

in question involved a member of non-teaching staff) or with the Head-teacher (if it involved a member of teaching staff).

- Financial matters – if the matter relates to fees or financial issues, it should be raised with the Chief Executive.
- 5.3 If the concern or complaint is received in writing, the School will acknowledge it by telephone, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised verbally will not necessarily be acknowledged in writing but a written record will be made if deemed necessary, and copied to the Complaints Manager.
- 5.4 The appropriate member of staff will contact the person concerned as soon as reasonably practicable, and in any event within 5 working days, in order to discuss the matter. In the majority of cases, it is hoped that this discussion will enable the issue to be resolved to the satisfaction of the person who raised it. However, if they remain dissatisfied with the outcome they will be able to raise a formal complaint in accordance with the process set out under Stage 2.

Stage 2 – Formal Resolution

- 5.5 If a parent or person with parental responsibility wishes to make a formal complaint, the following procedure should be followed:
- The complainant should complete a written Complaint Form (which is available on request from the Head-teacher or Head of Care) providing details of their complaint.
 - The completed form should be submitted to the relevant Complaints Manager (i.e. the Head-teacher if the complaint relates to educational matters and the Head of Care for all other complaints). If the complaint is about or involves the Head-teacher or the Head of Care, the completed form should be sent to the Chief Executive (Jake Lukas) who will act as the Complaints Manager.
 - The relevant Complaints Manager will acknowledge receipt of the Complaint Form in writing - this will usually be done within 24 hours. The written acknowledgement will confirm the process that the Complaints Manager proposes to follow in order to deal with the complaint.
 - The Complaints Manager will ensure the complaint is investigated and followed up. The Complaints Manager may deal with the complaint and make a decision personally or may ask an independent senior member of staff to act as an "investigator" if the issues raised in the complaint require further investigation. The Complaints Manager or investigator may request additional information from the complainant and will probably wish to speak to them personally.
 - After the complaint has been investigated, the Complaints Manager will notify the complainant in writing of the decision, the reasons for it and what action (if any) will

be taken in response to it. This notification will normally be given within 28 days of receipt of the formal complaint. If this is not possible due to circumstances outside the School's control, the Complaints Manager will ensure the complainant is notified and will provide an explanation of the reason for the delay. The Complaints Manager will also ensure that the complainant is provided with regular progress reports on the complaint until the outcome can be provided.

Stage 3 - Appeal

- 5.6 If a parent / person with parental responsibility is not satisfied with the outcome of the complaint under Stage 2 he or she can ask for the complaint to be referred to a hearing before a Complaints Panel consisting of at least three people who are not directly involved in the matters detailed in the complaint. The members of the Complaints Panel will be appointed by the School and may consist of members of senior management or the Board of Trustees. At least one member of the Complaints Panel will be independent of the management and running of the School.
- 5.7 If a complainant wishes to refer their complaint to the Complaints Panel, the following procedure should be followed:
- The complainant should submit a written request to the Chief Executive setting out all the grounds of the complaint and the desired outcome.
 - The Chief Executive will acknowledge receipt of the request in writing – this will usually be done within four working days of receipt of the request.
 - The Chief Executive will convene a hearing of the Complaints Panel as soon as reasonably practicable – normally within 21 days of receipt of the written request. The Chief Executive will provide the complainant with at least 7 days' notice of the date, time and location of the hearing together with brief details of the members of the panel.
 - The complainant will have the right to attend and be accompanied at the hearing if they wish. Copies of any additional documents which the complainant would like the Complaints Panel to consider should be sent to the Chief Executive at least 3 working days prior to the hearing.
 - The hearing will be chaired by one member of the Complaints Panel (chosen by themselves) and will be conducted in an informal manner. If considered necessary, the members of the Panel may decide to adjourn the hearing in order to allow further investigations to be carried out.
 - After considering the complaint the Complaints Panel shall make findings and recommendations. These may be notified orally at or after the hearing. In any event, the findings and recommendations will be recorded in writing and provided to the complainant and, where relevant, the person complained about as soon as

reasonably practicable. A copy of the findings and recommendations will also be made available for inspection at the School.

- 5.8 A hearing before the Complaints Panel is intended to be a private hearing. Unless agreed by all those present, no notes or other records or oral statements about any matter discussed in or arising from the hearing should be made available directly or indirectly to the press or other media.

6. Procedure for complaints by others

- 6.1 Concerns or complaints made to the School by individuals other than pupils or parents or those with parental responsibility (e.g. other family members, external professionals or members of the local community) will be dealt with in accordance with the general principles set out in this policy.

- 6.2 If anyone wishes to raise a concern or complaint about the School, the following procedure should be followed:

- The matter should be reported either by telephoning the School during normal office hours (Tel: 01453 837550) or by sending an email to info@cotswold-chine.org.uk. Outside of office hours, the matter can be reported by telephoning the Duty Manager on 07699 220799.
- Wherever possible the individual will be offered the chance to discuss their concern or complaint with one of the School's Senior Managers. If this discussion is unsuccessful in resolving the concern or complaint, the individual may request the matter to be treated as a formal complaint, in which case it will be referred to another senior manager to investigate and consider.
- As soon as reasonably practicable after the investigation has been completed, the senior manager dealing with the complaint will inform the complainant of the findings and proposed resolution.
- If the complainant does not accept the proposed resolution the matter may be referred to the Chief Executive for further consideration and decision.

7. Recording complaints and confidentiality

- 7.1 The School will keep a written record of all complaints raised under the formal procedure set out in this policy including the outcome of any investigation and the action taken as a result (regardless of whether the complaint is upheld).

- 7.2 The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request.

- 7.3 If requested, the School will supply to Ofsted a statement containing a summary of any complaints made during the preceding twelve months and the action that was taken in response to each complaint.
- 7.4 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.
- 7.5 Details of individual complaints will be kept securely for as long as necessary in accordance with data protection principles.

8. Safeguards

- 8.1 The School will not tolerate any form of less favourable treatment against anyone wishing to make a complaint under this procedure, including any pressure to prevent a complaint from being raised, to withdraw a complaint, or any attempt to misuse a position or role to influence the handling or outcome of a complaint. The School will take appropriate action to protect anyone wishing to raise a complaint.
- 8.2 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.