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## 1. Purpose

At an Esland School we value and promote honest and open communication between staff, students and parents/ carer/ guardian. The creation and maintenance of this open style of communication and 'listening' to our stakeholders is one of the chief means by which we seek to influence our young people, and lies at the heart of our commitment to help and support them through the use of appropriate intervention strategies.

One aspect of crucial importance in this lies our complaints procedure and ensuring this is easy to follow by all and enables key stakeholders to make representations and formal complaints which can then be fully dealt with. We have a duty to empower young people wherever possible and maintain a positive caring environment in which they feel safe and free from any form of oppression. We also have a statutory duty to make clear our procedures for dealing with complaints under The Education (Independent School Standards) (England) Regulations 2014 Part 7. This policy is aimed at meeting all the requirements of Part 7. Additionally, the policy seeks to ensure that all elements are fully implemented, monitored and enables young people, staff and parents to raise any concerns with us. A young person's guide to the complaints procedure is also available on request.

## 2. Scope

This policy assumes that it is a parent/ carer/ guardian making a complaint on behalf of their young person. However, the policy is also directly open to students themselves. Should a third-party complaint fall outside of the education remit, they will be referred to our complaints procedure, a copy of which is available on request.

## 3. Procedure

In most circumstances, any concerns or worries that a parent or student or other interested party has about school can be discussed with their mentor or relevant member of school staff. It is hoped that most issues can be readily resolved in this way.

There may be times when a parent or young person is unsure about approaching a teacher and should feel free to discuss the issue with any other member of staff in whom they trust who will guide them as to an appropriate course of action.

### Informal Resolution

The parent and student are also free to seek advice from their social worker. This is known as an '**informal resolution**' and should be the first method adopted in the case of a complaint.

### Stage 1 – Informal Complaint

However, there may be occasions when a parent, carer or the student are not happy with the way their concerns were dealt with, or the matter is of a nature that requires more in-depth scrutiny or formal action.

In these instances, the following procedure must be followed:

- a) A full written record of the representation or complaint at stage 1 will always be kept and made available to authorised people (such as inspectors).
- b) It will be the aim to resolve all issues at stage 1 within **14 working days**

If a delay is anticipated because of holidays or absences, then a revised timescale will be agreed with the complainant.

If the complainant is dissatisfied with the outcome of their complaint at Stage 1, they are entitled to take their concerns to Stage 2, which is the **formal stage**.

### Stage 2 – Formal Complaint

If a solution or agreement cannot be reached by talking things through, there is the option of making a '*formal complaint*'.

At stage 2, we will arrange to conduct a formal investigation into the concerns raised. This may be undertaken by a member of the senior leadership team or equivalent.

If preferred, the student, parent or carer can make a complaint in writing and send it to Esland Head Office:

Suite 1, Riverside Business Centre  
Foundry Lane  
Milford  
Belper  
DE56 0RN

Tel: 01773 823989

The Investigating Officer will speak to the complainant as soon as possible and within a maximum of **7 working days** of receipt of the formal complaint.

We will record the complaint and ensure that all elements are fully captured in consultation with the complainant.

They will also ensure the complainant is given support through the Complaint's procedure. Within **21 working days** of initial contact, and clear feedback will be provided to the

complainant on their findings and how any identified issues will be resolved. A full record of the investigation at Stage 2 will be maintained.

If the complainant is dissatisfied with the outcome of the investigation and response at Stage 2, they are entitled to take the matter to Stage 3 of the complaints process, which is a hearing.

The hearing will be held by someone not directly involved in the matters detailed in the complaint. This individual will also be fully independent of the management of the school or the running of the school.

### Stage 3

If the complainant wishes to pursue their complaint to Stage 3, the Chief Operating Officer from Esland will contact the complainant to advise them of the process **within 48 working hours.** The Head/Senior Manager will arrange for the complaint to be examined in depth by an independent representative from the school.

This hearing will be arranged for a mutually convenient date. Every assistance will be provided to the complainant to enable them to present their case including the provision of advocacy and support.

The complainant will be invited to discuss the complaint and may also be accompanied by an independent person of their choice.

Having heard all the representations and considered all the reports, feedback on the findings will be provided and any actions or recommendations arising.

All matters associated with Stage 3 will be fully recorded in writing and sent to the complainant and be available on the school premises for inspection by authorised personnel only.

All complaints are recorded by the school and stipulate whether they are resolved following a formal procedure or panel hearing, and the action taken by the school as a result of the complaint.

All records, correspondence and statements relating to individual complaints are kept confidential with the exception of where the Secretary of State or a Body conducting an inspection under Section 109 of the 2008 Act require access to them.

### Final outcome

Following feedback, a written response will be provided to the complainant including the findings and any proposed actions or recommendations.

This is the final stage of the complaints process.

**Should a complaint be received at the end of a term period then the complaint will be acknowledged with confirmation of the timeline which may differ to the policy**

#### **4. Recording and Confidentiality**

The written records of all representations at stage 1 and formal complaints at Stages 2 and 3 will be kept confidentially on record within ClearCare and made available for inspection purposes.

#### **5. References**

The Education (Independent School Standards) (England) Regulations 2014

### **Appendix 1**

#### **COMPLAINT ACKNOWLEDGEMENT LETTER TEMPLATE**

[Insert Date]

#### **Strictly Private & Confidential**

[Name and address]

Dear [Title & Surname]

#### **Re: Complaint**

We refer to your [letter/email] dated [insert date], addressed to [insert name], in which you convey your [dissatisfaction/concern] with various aspects of the [care/service] being provided by [insert as appropriate].

We are of course very sorry to learn of your dissatisfaction with [insert as appropriate] and I do assure you that we take all complaints very seriously.

As we understand it, you are concerned that [insert your understanding of the issues of concern, using a bulleted or numbered list if there is more than one point]; however, do please let me know straight away if we have misunderstood any of your concerns.

We will investigate your concerns and in accordance with the Complaint policy, will aim to complete the investigation within [insert timeline as per policy] and to fully report back to you on our findings and any resultant recommendations.

#### **OR**

Arrangements will be made for the issues you have raised to be investigated by [insert name] and in accordance with the Complaint policy, we will aim to complete the investigation within [insert timeline as per policy] and to fully report back to you on our findings and any resultant recommendations.

If for any reason we are unable to respond to you within this time frame, we will be in touch before this date to explain why and to confirm when you will receive a full response.

We will be happy to meet with you in order to discuss your concerns in more detail if this would be helpful.

#### **OR**

[Mr/Ms/Mrs investigator Surname] will be happy to meet with you in order to discuss your concerns in more detail if this would be helpful.

We trust that this information is helpful but do please give me a call on [insert contact no] if I am able to assist you further at this stage.

Yours sincerely

**(Name)**  
**(Role/Job Title)**

Cc Complaints File

## **Appendix 2**

### **Complaint Outcome Letter**

Date

Our ref:

#### **Strictly Private & Confidential**

[Name and address]

Dear [Title & Surname]

#### **Re: Complaint – [Complaint Ref Number]**

We write further to your [letter/email] of complaint dated [insert date], addressed to [insert name], regarding [either outline issues or] various aspects of the [care/service] being provided by [insert as appropriate].

We are once again very sorry that you had the need to complain about the services provided by [insert service detail] and wish to assure you that we do take all complaints very seriously.

We have now had the opportunity to fully investigate your concerns and offer the following comments in response: [address each individual area of concern and follow this with details of what was found during the course of the investigation]

#### **[Insert heading]**

[Outline service user expectation followed by the detailed investigation findings and outcome]

#### **Complaint: Upheld/Partially Upheld/Not Upheld**

#### **[Insert heading]**

[Outline service user expectation followed by the detailed investigation findings and outcome]

**Complaint: Upheld/Partially Upheld/Not Upheld**

As a result of your own complaint, we have taken the following action as part of our continual service improvement process:

*[Bullet point each improvement action and state what, why, when and by whom ]*

As a professional and caring organisation, we do take our responsibility to deliver a quality service to all service users very seriously and remain fully committed to continually improve the services that we provide. We also continue to be grateful to all service users, relatives and other interested parties for contributing positively to our continual improvement process by letting us know when we get things wrong as well as those aspects of the service that work well.

We would like to thank you for bringing these matters to our attention and we hope that my response has addressed the issues raised and provides reassurance that we do take all complaints very seriously. If, however, it would be helpful to discuss our response further then please do not hesitate to contact us on [insert contact no].

We trust this is helpful.