

# NEW BARN SCHOOL



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## New Barn School

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### COMPLAINTS POLICY

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ACADEMIC YEAR 2021 - 2022

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## **1.0 INTRODUCTION**

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New Barn School fully recognises that it has responsibilities to all children, their parents and carers, placing agencies, employees and the community at large. This document is designed to make it easy for matters of concern to be raised.

The school aims to promote an atmosphere of mutual trust where concerns can be raised and addressed without fear of retribution.

This complaints procedure, as required by law in paragraph 33 [Part 7 of the Independent School Standards) and the number of complaints registered under the formal procedure during the preceding school year will be made available on the school’s website.

### **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 generally defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally (Stage 1), without the need to invoke formal procedures (Stages 2 & 3).

We take all concerns seriously and will make every effort to resolve any matter raised, as quickly as possible.

### **Who can make a complaint?**

Any person, including members of the general public, may make a complaint about any provision of facilities or services provided, unless separate statutory procedures apply (such as exclusions or admissions).

The Complaints Procedure does not apply to prospective pupils who have no right of complaint.

Where concerns are raised they are addressed promptly. The school aims to achieve efficient effective resolution, embracing the opportunity to develop and improve practice where need is indicated.

**Implementation:** It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions.

**Compliance:** This policy complies with all relevant regulations and other legislation as detailed in the *Compliance with Regulations & Legislation Statement*.

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## 2.0 PART 1: MANAGING CHILDREN'S COMPLAINTS

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Children have a strong and supportive system for making complaints managed by the Head Teacher. The complaint procedure is further explained during the child's induction period. The school has forms prominently displayed and readily available. Staff will assist children in the completion of the *New Barn School – Complaints Policy - Children's Complaints Form* as necessary. Appendix 1 describes the manner in which complaints from children are managed and outlines responsibilities. Any person may make a complaint on behalf of a child. Appendix 3 contains the guidelines for Children's Complaints Panel Meetings.

Pupils have access to and use a suggestion box to record informal concerns and complaints. The school review the comments added to this box on a regular basis and where appropriate and necessary feedback to all parties concerned with the complaint.

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## 3.0 PART 2: MANAGING EXTERNAL COMPLAINTS

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### Scope

There are no restrictions on the scope of issues that may be the subject of a complaint. All will be investigated, properly considered, and the findings made known to relevant individuals and groups with due respect for the appropriate confidentiality. Many issues may involve lack of information, poor communication or misunderstandings and can be addressed with an appropriate degree of informality. In such cases resolution can be sought at source with a member of staff working at the school. If the concern or complaint cannot be immediately and informally addressed then more formal representations need to be made.

### Who to notify of a Complaint

Minor issues may well be discussed directly with any member of staff in the School as all of these will have an overview of the School and how its procedures operate. All children also have an allocated Form Tutor who is in regular contact with parent/carers. They may well be in a position to informally deal with matters of concern or minor forms of complaint and act quickly in order to resolve difficulties.

All complaints, whether verbal or in writing, and whether informal or formal, are recorded in the Complaints Log Book and are also reported to Governance on a termly basis.

### More serious Complaints

Where matters of complaint are felt to be more serious the Head Teacher should be contacted directly. At this stage the complaint may have to be in written form. In the absence of the Head Teacher or where the

complaint involves the Head Teacher or a member of the governing board, matters should be referred to the Acorn Education and Care Group Regional Manager responsible for New Barn School.

### **Child Protection**

Concerns related to Child Protection can be addressed directly to the Head Teacher as designated Safeguarding Lead, alternatively the deputy DSLs. In exceptional circumstances contact may be made directly with Acorn Education and Care Group Regional Manager, the local Child Protection department, the Police, Berkshire Children's Services or Ofsted.

### **Procedure (See also Appendix 2)**

- Staff addressing and resolving informal complaints are responsible for ensuring that the Head Teacher is informed of the complaint, in order that it can be entered into the Complaints Log;
- Where it has not been possible to resolve a complaint informally a written *New Barn School - Complaints Policy – Children's Complaints Form* should be submitted. (This may be scribed by a staff member on behalf of a parent/carer/other party as necessary);
- The Complaints Form is submitted to the Head Teacher. Receipt is recorded in the Complaints Log Book and a reference number is allocated by the Head Teacher;
- The Head Teacher then allocates the complaint to the appropriate staff member (See Appendix 2) for resolution, or may choose to resolve the issue personally if appropriate;
- Allocation should take place within two working days of receipt of the Complaints Form.
- The allocated Acorn Education and Care Human Resource Member should inform the complainant that they have been allocated to resolve the issue. This should occur within two working days of the complaint being allocated.

The Human Resource Member should:

- Outline how they initially plan to investigate the issue.
- Give a realistic estimate of the time this will take, indicating when contact will be made with the complainant to outline progress and discuss resolution. Except in exceptional circumstances and with the express approval of the Head Teacher, this should occur within ten working days of the complaint being allocated.
- All actions taken by the Acorn Education and Care HR member in investigating and resolving the issue are recorded on the Complaints Form.
- Verbal feedback and a proposed resolution are provided to the complainant (as above). The date of contact is recorded in the Complaints Log Book, and is confirmed in writing to the complainant.
- Should the complainant be unsatisfied with the proposed resolve, the request for an independent Complaints Panel to review and address the issue may be made. Such a request should be received by the School within ten days of receipt of the written proposal, and may be made in writing or verbally. The date of request is recorded in the Complaints Log Book.
- The Head Teacher is responsible for arranging any Complaints Panel Hearing. The independent Panel is identified by the Head Teacher and will consist of two New Barn Senior Staff Members, and a third person who has no role in the School's Management. None of those identified as Panel Members will have had any prior involvement in the issue. The Chairperson will be provided with all the relevant information by the HR Staff Member initially allocated to resolve the complaint and is responsible for seeking clarification and further information as necessary.
- The Panel Hearing will be held at New Barn School at a mutually agreed time, within ten working days of the request being received, except where in exceptional circumstances the complainant agrees with the Head Teacher to extend this period.
- The complainant has the right to be accompanied to the Panel Hearing by a supporter.
- Panel Meetings have minutes, and the outcome confirmed in writing to the complainant within seven working days of the hearing, including details of any findings and recommendations made by the Panel.

- The Panel may identify their findings and make recommendations. These should be recorded on the Complaint Form and in minutes.
- The date of the Panel Meeting is recorded in the Complaints Log Book.
- New Barn School will assume after ten working days of the date of the confirmation letter that the issue is considered resolved unless contact to the contrary is made by the complainant. Resolution will be recorded in the Complaints Log Book and on the Complaint Form which is retained in the Complaint File.
- With all due respect for confidentiality, the completed Complaint Form and minutes from the Panel Hearing are copied to the Acorn Education and Care New Barn Group Regional Manager, Head Teacher and Complainant(s) and the subject(s) of the complaint.

If any complaint is not felt to be managed in a satisfactory manner then it can be reported to Ofsted.

#### **4.0 PART 3: MANAGING STAFF COMPLAINTS**

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New Barn School has a number of well-established systems for addressing staff concerns.

Staff should refer to:

- Workplace Concerns
- Grievance Procedure
- Conduct Policy
- Whistleblowing policy

Should these procedures fail to achieve resolve, then the issue should be addressed through the Complaints System as outlined in Part 1 herein.

Details of the Complaints Policy and Procedures are covered in the Induction Period for all new employees. Copies are readily available for staff reference, together with other policies within the School.

#### **5.0 FURTHER INFORMATION AND MONITORING**

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Children's complaints are recorded in the Children's Complaints Log, maintained by the Head Teacher. The Head Teacher is responsible for the regular monitoring of the Children's Complaints System.

Any serious complaint about the School or its employees shall be reported to the placing authority and Ofsted as outlined in Part 7 of the Independent schools standards.

The Head Teacher will regularly review all records of complaints and take any necessary further follow-up action in relation to individual cases.

An annual audit of complaints detailing the number of complaints received by the School and indicating the level at which they are resolved is undertaken, and is available upon request. The audit is numerical and does not contain confidential details (See *New Barn School – Complaints Policy – Annual Complaints Audit Form*). More detailed analysis will be used to develop and inform practice.

There will be a specific opportunity at all Children's Reviews for any matters of discontent, however minor, to be raised by parents/carers, placing authorities or any other outside agency.

### **Please Remember**

Complaints may well be constructive for the School; it is important for all concerns to be shared in order for our service to children to be constantly appraised. New Barn School welcomes views and comments from children, parents and carers, placing agencies, national inspectorate bodies, employees and the public.

New Barn School will review any underlying issues raised by complaints with the staff, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **Monitoring arrangements**

New Barn School and its Governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the senior management team.

This policy will be reviewed by the Governing board annually. If changes are made, Governance will review terms at Governance meetings.

## **6.0 UNACCEPTABLE BEHAVIOUR AND VEXATIOUS COMPLAINTS**

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The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally seek to limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, threatening or which constitutes harassment.

The School defines unacceptable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

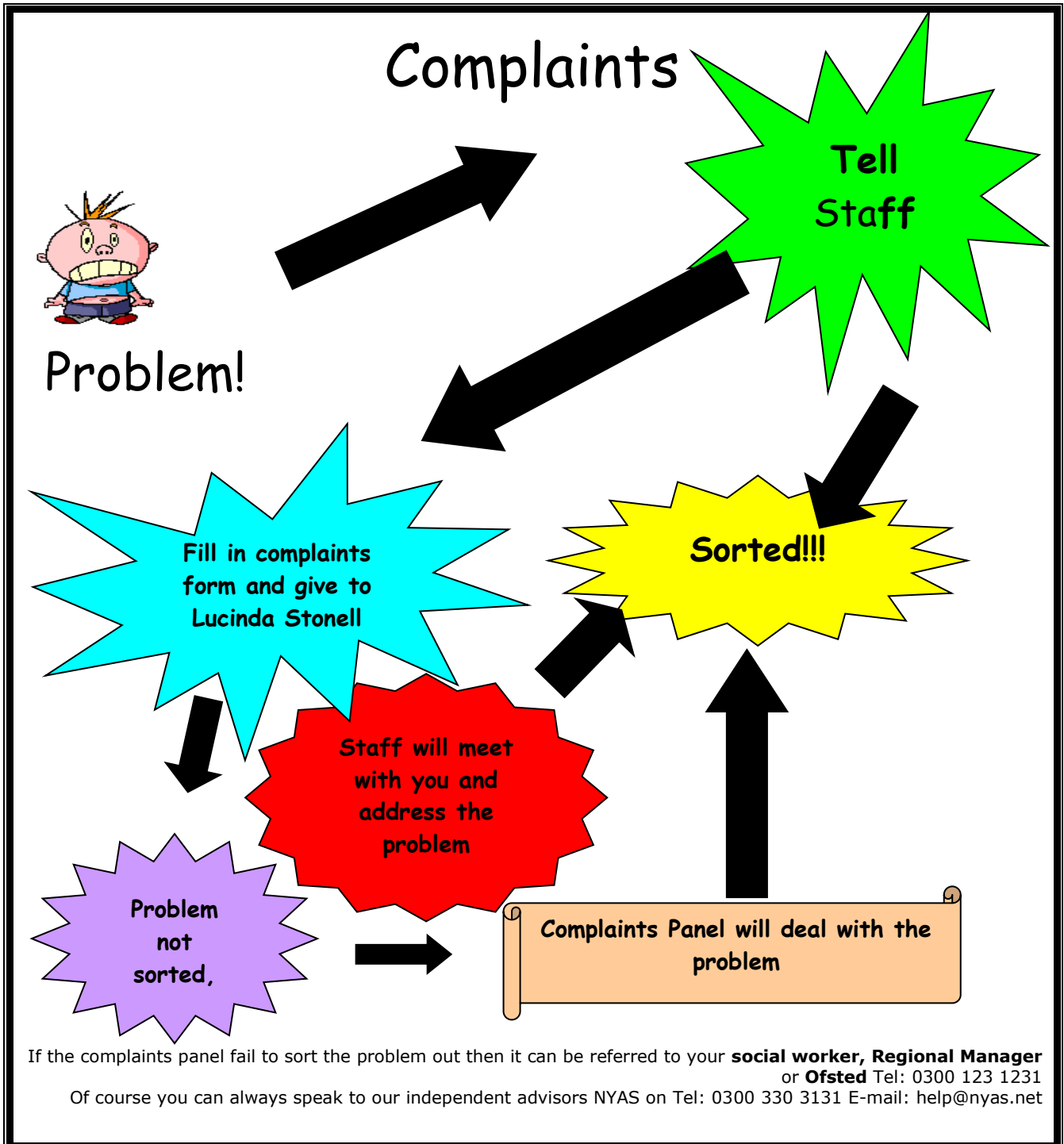
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented.
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate staff or harass staff.

- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.
- is otherwise frivolous and vexatious

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

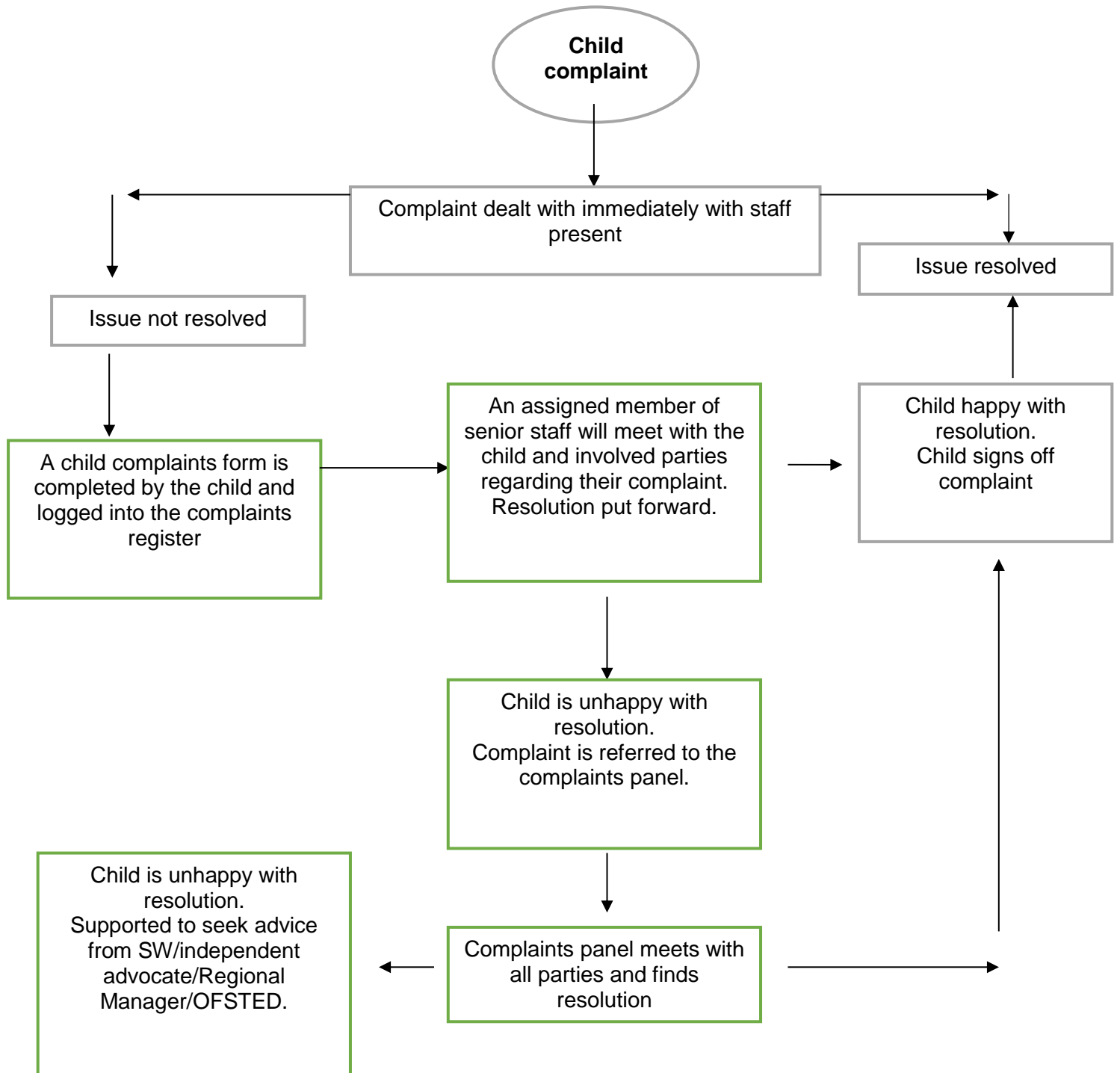
Whenever possible, the head teacher or Chair of Governors will discuss any concerns with the complainant informally before determining if the complainant's behaviour is unacceptable. If the behaviour continues, the head teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to modify it to enable their complaint to be considered in accordance with the school's complaints policy if within the scope of the complaints procedure. For complainants who excessively contact the School causing a significant level of disruption, we may specify alternative methods of communication in which complaints should be made but will keep this under review.

APPENDIX 1 – COMPLAINTS PROCEDURES DISPLAY



APPENDIX 2 – NEW BARN SCHOOL CHILDREN’S COMPLAINTS PROCEDURE





## **APPENDIX 3 – CHILD COMPLAINTS PANEL – GUIDELINES**

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### Purpose of Panel

A Complaints Panel is convened with the intention of resolving issues for the child, when the Head Teacher has been unable to do so.

### Members of Panel

The Panel Meeting (date/time/members/venue) will be arranged by the Head Teacher.

The panel should consist of two senior members of staff, one of whom chairs the meeting and a third party not involved with the management of the school. One panel member should be allocated to take minutes.

### Preparation

The panel should be provided with available and accurate information by the Head Teacher to facilitate an objective overview of the matter in question. The panel should receive this documentation at least an hour before the meeting.

### Hearing

- All parties must be assured of the panel's confidentiality.
- Should the child choose to attend, with or without a staff representative (i.e. the person who has completed the complaints form for/with them); they should be given the opportunity to explain the situation and to add supporting information, if they wish to do so.
- The panel may ask questions but must be sensitive to the child, who may be anxious.
- Where the child chooses not to attend but is represented by a staff member, the panel must recognise that they may only ask questions of that staff member that they would ask of the child.
- Any speculative details, i.e. information not relating directly to the complaint should not be considered.
- The panel should aim to be entirely objective and try to discount historical/previous knowledge of the individuals concerned.

### Panel Outcomes

The panel may recommend a number of options which it feels will help resolve the issue for the child. They should recognise that an element of "Repair and Rebuild" work will almost certainly need to take place. This should be guided by the child's readiness to participate in the process. If this is possible and acceptable to the child, the Head Teacher can facilitate this process.

All recommendations must be verified by the Head Teacher.

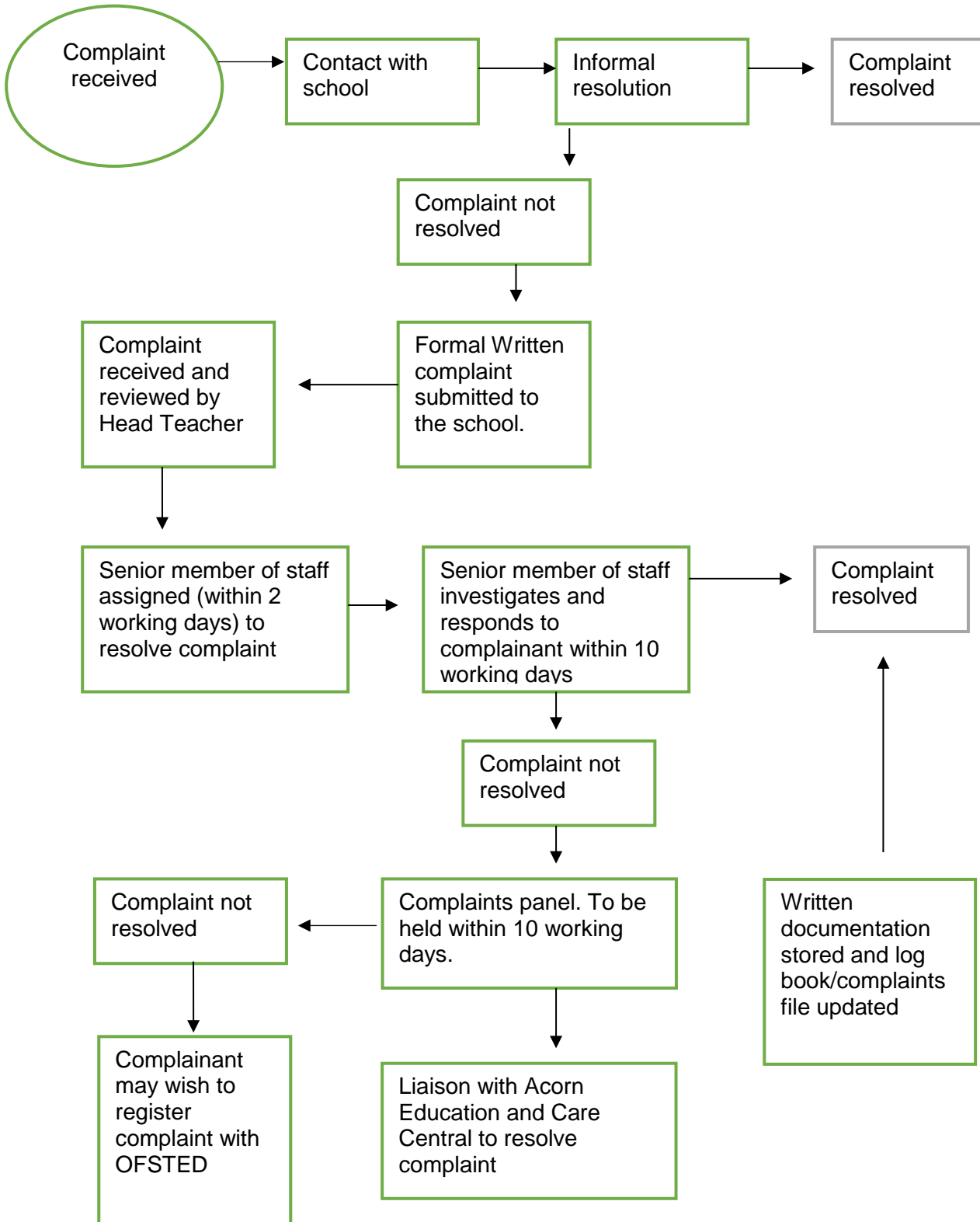
The panel may decide that it is unable to resolve the issue and may opt to pass it back to the Head Teacher. Alternatively, the panel may conclude that the matter in question is beyond its remit and refer the issue on to the Principal for further action.

### Feedback Process

- Minutes of the Complaints Panel will be passed on to the Head Teacher who will retain the minutes with the other documentation relating to the complaint.

- The Chairperson of the meeting will feedback outcomes to the Head Teacher, who will then be responsible for notifying:
  - The Registered Manager, who will be responsible for taking any other appropriate action;
  - The child (and where appropriate, the staff representative);
  - Any staff involved in the issue.
  
- The responsibility of the panel then ends and panel members should not respond to any requests for justification of outcomes by parties involved. All matters should remain confidential.

**APPENDIX 4 – EXTERNAL COMPLAINTS PROCEDURE**



**APPENDIX 5 – CONTACTS**

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**New Barn School**

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