**NEW BARN SCHOOL**



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| **New Barn School** |
| **COMPLAINTS POLICY** |
| ACADEMIC YEAR 2023 - 2024 |

**Document History**

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| **Version** | **Comments/amendments** | **Name** | **Date** |
| 1.0 | 2018 issue |  Alice Anstee  Headteacher  | January 2018 |
| 2.0 | *2019 updates*  | Alice AnsteeHeadteacher  | September 2019 |
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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 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.

**Complaints from Parents/Carers**

The procedures set out below only relate to complaints from parents of pupils, i.e., persons for whom education is being provided at the school. The process set out below does not cover complaints from parents of pupils who have left (except in cases where the complaints process was started when the pupil was still being educated at the school).

It is expected that complaints are made as soon as possible after an incident arises (although three months is generally considered to be an acceptable time frame in which to lodge a complaint). The procedures below will be followed in the event of a complaint being made by parents or carers against the school (complaints are not limited to parents or carers of children that are registered at the school).

**Informal Complaint (Stage 1)**

If parents or carers have a complaint against the school, they may initially wish to contact the school informally either by telephone, in writing or personally after making an appointment. The school will ask the complainant what they think might resolve the issue. The school will consider and resolve as quickly, and efficiently as possible the complaint and will respond with the outcome **within 10 working days** of receiving the complaint. Where further investigations are necessary that may exceed this period, amended time limits will be communicated with an explanation for the delay.

# Formal Complaint (Stage 2)

If parents or carers are not satisfied with the response at Stage 1, they should write formally to the Headteacher of the school (see end of document for contact details)

The Headteacher will investigate the complaint further and respond in writing **within 10 working days** of receiving the formal complaint in writing. Where further investigations are necessary that may exceed this period, amended times will be communicated with an explanation for the delay.

If the complaint is against the Headteacher, the complaint should be addressed to the Chair of Governors, also known as the ‘Regional Director’. Their contact details are at the end of the document. The Schools’ Chair of Governors will investigate and respond within **20 working days** of receiving the formal written complaint.

# Formal Complaint (Stage 3)

1. If the parents or carers are not satisfied with the response from Stage 2, they should inform the School’s Chair of Governors who will arrange a panel to hear the complaint.
2. The panel will comprise three people not directly involved in the matters detailed in the complaint. At least one member of the panel will be independent of the running and management of the school. The member should not only be outside the school’s workforce, and not a member of governing body/proprietorial body, but also should not be otherwise involved with the management of the school.
3. The date of the panel meeting will consider the availability of the parents or carers as well as the school and will take place **within 30 working days** of receiving formal notification that the complainant is unhappy with the outcome of the stage 2 complaint, and their desire to proceed to stage 3.
4. Parents or carers will be invited to bring with them another person or persons to support

them at the panel hearing if they wish. The panel hearing does not confer a right on a parent to have a legal representative to make representations on their behalf at the hearing.

1. The panel will hear the complaint and will hear the outcome of the school’s investigations and its response to these. The panel will then make findings and recommendations which will be communicated in writing **within 10 working days** of the conclusion of the hearing to the Proprietor, Director of Education, the Headteacher, the parent or carer and, where appropriate, the person complained about.
2. If a parent does not exercise the right to attend a panel hearing, the panel will meet in line with this policy. The school’s arrangements for the panel hearing will be reasonable to facilitate the parent(s) exercising the right of attendance.
3. A written record of all complaints and their resolution, whether they proceeded to a panel hearing or not, will be kept on the school premises by the Headteacher (Equality Act 2010) and made available to the Proprietor and Ofsted inspectors on request. The school will record the progress of the complaint and the outcome. These records and any correspondence relating to a complaint will remain confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education Act requests access to the records.
4. The number of complaints registered under the formal procedure during the preceding school year will be published on the school website. Only level 2 and level 3 complaints will be published.

# Complaints from Pupils

The procedures below will be followed in the event of a pupil making a complaint against a member of staff, a fellow pupil or any other person or situation either in school or outside.

* Pupils may wish to talk to an adult they trust about a situation relating to school or to a situation outside school.
* Pupils are reminded that, although they may speak to any member of staff, there may be occasions where information will have to be referred to other agencies such as Children’s Services.
* Within school, pupils may talk to any member of Education Staff.
* A pupil may merely need a trusted adult to talk a situation through with and may not be making a formal complaint. However, all actual complaints made by pupils will be recorded by the member of staff in the Complaints Log. The school response to the complaint will also be recorded. If the complaint is serious the pupil’s parents/carers will be informed of both the complaint and the outcome. Some complaints will be referred to other agencies or to the Local Authority. If necessary, a meeting will be called to discuss the issues further.
* A pupil may ask to speak to an adult from an outside agency. The school will, wherever possible, put the pupil in contact with a representative of the appropriate agency. The referral will be noted in the pupil’s file.
* If the complaint is an allegation against a member of staff, then the school’s safeguarding policy must be followed in addition to recording the complaint. Failure to follow this process may result in disciplinary action.

**Unreasonable Complainants**

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 limit the contact complainants have with the 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, or threatening.

The school defines unreasonable complainants as ‘those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints’.

A complaint may be regarded as unreasonable when the person making the complaint:

* 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 while still wishing their complaint to be resolved.
* refuses to accept that certain issues are not within the scope of a complaints procedure.
* insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
* introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or 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.
* changes the basis of the complaint as the investigation proceeds.
* 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 and completed including referral to the Department for Education.
* seeks an unrealistic outcome.
* makes excessive demands on school time by frequent, lengthy, complicated, and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

* maliciously
* aggressively
* using threats, intimidation, or violence
* using abusive, offensive, or discriminatory language
* knowing it to be false
* using falsified information
* publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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 Headteacher or Regional Director will discuss any concerns with the complainant informally before applying an ‘unreasonable’ evaluation.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable, asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school.

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| **Contact information for the Headteacher** | Lucinda StonellNew Barn School including River View House The Row,Welford RG20 8HXLucinda.stonell@acornnewbarnschool.co.uk |
| **Contact information for the Chair of Governors** | Mike DeacyNew Barn School including River View House The Row,Welford RG20 8HXMike.deacy@ofgl.co.uk |

# APPENDIX 1 – COMPLAINTS PROCEDURES DISPLAY

**Tell** Sta**ff**

Complaints

![MM900043730[1]]()

Problem!

**Fill in complaints form and give to Lucinda Stonell**

**Sorted!!!**

**Staff will meet with you and address the problem**

**Problem not sorted, still unhappy**

**Complaints Panel will deal with the problem**

If the complaints panel fail to sort the problem out then it can be referred to your social worker, Regional Manager or Ofsted Tel: 0300 123 1231

Of course you can always speak to our independent advisors NYAS on Tel: 0300 330 3131 E-mail: help@nyas.net

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# APPENDIX 2 – NEW BARN SCHOOL CHILDREN’S COMPLAINTS PROCEDURE

Complaint dealt with immediately with staff present

Issue resolved

Child is unhappy with resolution.

Supported to seek advice from SW/independent advocate/Regional Manager/OFSTED.

Complaints panel meets with all parties and finds resolution

Child is unhappy with resolution.

Complaint is referred to the complaints panel.

An assigned member of senior staff will meet with the child and involved parties regarding their complaint.

Resolution put forward.

Child happy with resolution.

Child signs off complaint

Issue not resolved

A child complaints form is completed by the child and logged into the complaints register

# APPENDIX 3 – CHILD COMPLAINTS PANEL – GUIDELINES

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

Complaint not resolved

Complaints panel. To be held within 10 working days.

Complaint not resolved

Complaint resolved

Senior member of staff investigates and responds to complainant within 10 working days

Senior member of staff assigned (within 2 working days) to resolve complaint

Complaint received and reviewed by Head Teacher

Formal Written complaint submitted to the school.

Complaint not resolved

Complaint resolved

Informal resolution

Contact with school

Written documentation stored and log book/complaints file updated

Complainant may wish to register complaint with OFSTED

Liaison with Acorn Education and Care Central to resolve complaint

# APPENDIX 5 – CONTACTS

**New Barn School**

Lucinda Stonell – Executive Headteacher

lucinda.stonell@acornnewbarnschool.co.uk

New Barn River View House School

Bridget Cooper-Eastwood – Headteacher

Bridget.cooper-eastwood@acornnewbarnschool.co.uk

Mike Deacy – Chair of Governors

Mike.deacy@ofgl.co.uk

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