

Complaints, Concerns and Suggestions

This policy has been written for...	Parents / carers, staff and students of Valence School. Members of the public who use school facilities or services. Previous students and their families.
Copies of this policy may be obtained from...	<ul style="list-style-type: none"> The School web site - https://www.valenceschool.com/ It is available as a hard copy on request from reception. Hard copies for reference are filed in the staff resource room
Participants and consultees in the formulation of this policy were...	The Principal, Senior Leadership Team & school Governing body
This policy links with the following school policies..	This policy is referenced in other policy documents including the Physical Intervention Policy
Edition, Review frequency and dates	<p>This is edition 2, written in August 2019 Date agreed and ratified by Governors: Date of next review: August 2021 <i>This policy will be reviewed every two years or following any updates to national and local guidance and procedures.</i></p>
Relevant statutory guidance, circulars, legislation & other sources of information are...	<p>Valence School Code of Conduct Valence School Grievance Procedure Valence School Whistle Blowing Policy</p> <p>The Education Act 2002, Section 29</p> <p>Residential Special Schools National Minimum Standards, NMS18.</p> <p>Best practice guidance for school complaints procedures 2019 (DfE)</p>
The lead member of staff is	Roland Gooding – (Principal) rgooding@valence.kent.sch.uk
Definitions and key terms used in this policy...	None

The Rationale and Purpose of this policy	To provide a clear and transparent procedure should a student, parent or carer or member of the public wish to raise a concern, make a complaint or raise a suggestion.
Appendices	No appendices are attached to this policy
Acknowledgement	The format and content of this document incorporates information available through Kent County Council's KELSI resource pages and the framework of policy documents at West Heath School.
Key Personnel	<p>Roland Gooding (Principal) Contact details: email: rgooding@valence.kent.sch.uk tel: 01959 565627 (ext 125) / 07896905605</p> <p>Lisa Kavanagh (Vice Principal) Head of Safeguarding & Social Care Contact details: email: lkavanagh@valence.kent.sch.uk tel: 01959 567810 (ext 127) / 07912 124724</p> <p>Matt Strange (Vice Principal) Head of Teaching & Learning Contact details: email: mstrange@valence.kent.sch.uk tel; 01959 562156 (ext 191) / 07894483673</p> <p>Jo Chivers (Residential Care Manager) Contact details: email: jchivers@valence.kent.sch.uk tel: 01959 567819 (ext 291) / 07896905095</p> <p>Brian Davies – Chair of Governors bdavies@valence.kent.sch.uk</p>

Introduction and Ethos

We pride ourselves on being a “listening” school and this policy makes clear how a parent, carer or student can raise a concern, make a complaint or forward a suggestion.

We actively encourage students to participate in sharing ideas, for example through the Student Council, Student Home Living Area Meetings, Key Working Sessions, Standard 20 Visits, Annual Reviews and daily target setting. There may be occasions when a student may wish to make a complaint about their experience, in which case they are encouraged to speak with a member of staff who will try to resolve the situation speedily.

Additionally, we have appointed the services of an independent visitor who conducts Standard 20 visits to the boarding houses. A regular feature of such visits involves the visitor listening to young people describe their experiences of school. The intention is to ensure that no student, having a need to make a representation or complaint feels unable to do so. Students and parents/carers have the right to expect that we will try to provide the best possible service for them.

In addition, school governing bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school, other than those covered by separate legislation and formal procedures and are covered by other policies and guidance. These include:

- Admissions
- Exclusions
- Special Educational Needs
- Staff Grievances / Discipline
- Child Protection
- Whistleblowing

It is expected that all complaints will be referred to the school in the first instance and that all stages will be pursued before considering a referral to external agencies if a complainant feels that their complaint has not been dealt with appropriately or remains unresolved.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns.

Aims

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

Principles

The key principles of this policy are:

Accessibility – the policy will be available on the school’s website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge

Good communication – the school will be happy to explain the process for dealing with concerns and complaints

Timescales- there will be clear timescales which the school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales.

Clarity – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant

Confidentiality- appropriate confidentiality will be maintained by all those involved (including and school staff and governors).

The governing body will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

The complaints process

The school follows a four-stage approach to resolving complaints:

1. Problem Solving (informal)
2. Formal Complaint
3. Appeal to the Chair of Governors (Governor Complaints Review Panel)
4. External Procedure

Stage 1 – Problem solving

Complaints and concerns are often due to misunderstandings. Please tell someone at the school what the problem is and how you think it can be resolved.

If possible, please raise the concern initially with the allocated Keyworker. This is usually the best and quickest way of resolving issues. In some cases, the Keyworker may feel it more appropriate to refer you to a more senior or experienced member of staff who will try to resolve the concern informally.

- *It is recommended that you make an appointment to speak to the Keyworker as soon possible*
- *The purpose of this meeting should be to establish the nature of the concern and to seek a resolution to the problem*
- *A brief written record will be made of the concerns raised and any actions agreed*

The complaints process

At each stage of the complaints procedure the conclusion will be either:

- That the complaint is upheld (in part or in full) and where appropriate, some form of action is taken or recommendation made *OR*
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given.

The complainant may choose to take no further action or take their complaint to the next stage.

Stage 2 – Formal Complaint

If you feel dissatisfied with the outcome of the informal complaints process, or you wish to make a formal complaint at the outset, you should contact the Residential Care Manager or either of the Vice Principals. You can do this by either arranging an appointment to see them or by putting your complaint in writing. If the complaint is about the Residential Care Manager or Vice Principal, you should contact the Principal. If the complaint is about the Principal, you should contact the Chair of Governors.

You may use the complaints form. Should you require support to put your complaint in writing please contact the Clerk to Governors Debbie Beaney who will be able to assist you. Debbie can be contacted via 01959 562156 or you can email – dbeaney@valence.kent.sch.uk

If you are not using the form, your letter or email should set out clearly your complaint and where appropriate why you feel the issue has not been resolved through informal channels. It is also helpful if you can set out what resolution you are seeking.

The Residential Care Manager or Vice Principal will consider the complaint and in doing so will:

- Establish what has happened so far, and who has been involved;
- Meet or contact you if they need further information;
- Clarify what you feel would put things right if this has not been set out in your letter or included on your form;
- Interview those involved in the matter and those complained about;
- Make a record of the details and investigation of the complaint.
- The Residential Care Manager or Vice Principal will determine an outcome and any proposed actions and will discuss the outcome of their consideration of the complaint with you.

A written response will be made within 20 working days or within an alternative timescale where this is mutually agreed. If it is found that the complaint does not have any substance or cannot be proven it may be considered to be unfounded or unsubstantiated.

Where you are unhappy about the decision made or where it concerns the Principal you have the right to have your complaint reviewed by the Governing Body. This is Stage 3 of the Complaints process.

Stage 3 – Governor Complaints Review Panel

The school will provide you with the Chair of Governors name, or you can find it on the school's website. You should either complete the complaints form or write to the Chair of Governors at the school address, marking any envelope "urgent, private and confidential".

- The Chair of Governors or Clerk to the Governing Body will acknowledge receipt of the letter within 5 school days. The acknowledgement will inform the complainant that three members of the school's governing body will hear the complaint within 20 working days of receiving the complaint. The Panel will review the outcome of the complaint and will arrange any further investigation that it deems necessary. Parents may submit further documents to the Review Panel before it considers the complaint
- For complaints specifically about the Principal, the Chair of Governors will arrange for the complaint to be investigated, either by him/herself or by an appropriate independent investigator.
- A meeting of the Governors Complaints Review Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel.

Once the panel has been held, the complainant and the school will be informed of their decision within five school working days. If it is not possible to meet these timescales, then the chair of the panel will contact both parties to discuss a mutually convenient date.

Stage 4 – External Procedure

If you remain dissatisfied by the outcome of the Governors' Review Panel, you may wish to forward your complaint to the Secretary of State for Education:

The Secretary of State
Department for Education
School Complaints Unit
2nd Floor
Piccadilly Gate
Store Street
Manchester
M1 2WD

The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably. The School Complaints Unit considers complaints relating to local authority maintained schools in England on behalf of the Secretary of State. They will look at whether the school's complaints policy and other relevant statutory policies were adhered to. They will also check whether the school's policy adheres to education legislation. However, the unit will not re-investigate the substance of the complaint. This remains the responsibility of the school. If the Schools Complaints Unit finds that the school has not handled a complaint in accordance with its procedure, the unit may request that the complaint is looked at again.

Students, parents and carers may also contact other statutory agencies (such as the Local Authority, Ofsted) in order to pursue their complaint.

Unreasonable complaints

Our 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'*.

Examples: 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 taken into account 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.

Vexatious Complaints

The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. The term is used in this policy to clarify that we are attempting to deal with persons who seek to be disruptive, or whose requests cause disproportionate difficulties to the resolution efforts of the school staff and governors, by pursuing an unreasonable course of conduct.

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 Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' or "vexatious" marking. If the behaviour continues the Principal will write to the complainant explaining that their behaviour is unreasonable and 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 school premises.

Barring from the School Premise - Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of community. If a parent's/carer's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Principal or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent/carer may wish to make. Schools should always give the parent/carer the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent/carer, and either confirmed or lifted. If the decision is confirmed the parent/carer should 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 Principal or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Record Keeping

Records of complaints are kept by the Vice Principal (Head of Safeguarding) and all complaints, concerns and compliments are made available to Ofsted inspectors.

The following information is required:

- Name of student or parent involved.
- Nature of representation, compliment or complaint
- The date and time the representation, compliment or complaint was made
- The action taken to try and resolve the situation and the outcome.
- The advice given about escalating concerns which remain in dispute.
- Details of any staff involved in handling the dispute

Staff Complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our Child Protection and Whistleblowing policies.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's Conduct and Grievance policies.

Complaints Form

Please complete and return to The Student Services Administrator

Your Name	
Student's name	
Relationship to student	
Your Address (including postcode)	
Your contact telephone no.	
Your email address	
Please give details of your complaint..	

(Please continue on a separate sheet if necessary)

Please describe any actions you have previously taken in seeking to resolve this issue.	
What actions do you feel may resolve the problem?	
List any paperwork attached	
Signature	
Date	
For Office Use Only	
Date acknowledgement sent	
By whom	
Complaint referred to	
Date	
Resolution summary and outcome	
Feedback to complainant	