**Complaints Procedure and Policy**

This policy should be read in conjunction with: 

* The Safeguarding – Child Protection Policy
* The TF Staff Handbook

**Introduction, Purpose & Scope**

The Tutorial Foundation is an independent school. The senior management team seek advice and assistance from different local authorities when determining the policies and procedures of the school.

The TF supports the rights of every student, member of staff, partner organisation or member of the public to raise issues or make complaints about our work.

The TF believes that complaints are a valuable means of getting feedback about what we do and how we do it in order to help us to continually assess and improve our services.

This document describes the school’s policy. It also details the way in which complaints can be made and the procedures that the school will follow for investigating them and putting things right where they have gone wrong.

We aim to provide a high quality educational experience for every student, which not only provides good teaching, leading to good examination results, but also a rounded school experience with particular emphasis on personal development. We also recognise that occasionally things can go wrong and parents or members of the public may need to make a complaint or raise concerns. All complaints received will be recorded formally by the school in a central log. It should be noted that school does not normally consider complaints made more than one year after the incident or situation. If a complaint is made about an issue that is over a year old the school will write to the complainant explaining.

The purpose of this document is to:

*  Clarify the circumstances for which use of this policy is not appropriate.
*  Ensure that The TF treats everyone fairly, openly and equitably and that it is consistent in the way in which it investigates complaints.
*  Ensure that complaints are investigated with minimum delay.
*  Ensure that those making a complaint know how to do this, and are fully supported in doing so.
*  Ensure that those responding to a complaint or are the subject of a complaint are fully aware of the procedures and their own rights.
*  To establish a system for learning from feedback, both immediately and also in the longer term.

The following are out of the scope of this policy and are covered in other TF policies and guidance:

*  Child incident and occurrence reporting/Safeguarding (see TF Safeguarding Policy)
*  Allegations of abuse (see TF Safeguarding Policy)
*  Allegations of harassment or bullying by staff *(*see TF Staff Handbook)
*  Allegations of wrongdoing by staff *(*see TF Staff Handbook)
*  Grievance procedure or matters connected with human resources, terms & conditions of employment, capability or disciplinary matters (see TF Staff Handbook)

***What is a complaint?***

*  A complaint is an expression of dissatisfaction attributed to the TF, individuals working at the school by any person, internal or external, about the school’s action, lack of action or quality of service.
*  Persistent or vexatious complaints which the TF considers to have already been thoroughly investigated and about which appropriate action has been taken to remedy the situation, will not be pursued. However, should circumstances change or new information emerge in connection with the case, the investigation may be re-opened.

**Complaints Procedure**

Complaints or allegations made against staff/volunteers will be brought immediately to the attention of the Headteacher in order that she may start the appropriate procedures. In the Head teacher’s absence, or where the Headteacher is the subject of a complaint, the person to contact is the Chair of the Advisory Board or the LADO.

Staff may approach LADO directly where they feel that the situation / complaint may be best dealt through this route.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

**Complaints from people who are not parents of students at the school (members of the public)**

These complaints should be addressed in writing to the Headteacher. If the complainant is not satisfied by the response, which may be in writing directly, or may involve a meeting with the complainant before a written response, the complainant may refer it to the Chair of the Advisory Board as set out below. The Headteacher will respond to complaints from members of the public within 10 working days of receipt.

**Complaints from parents**

**Informal stage**

Every effort will be made to resolve complaints or issues informally and quickly by discussion with the Headteacher. Alternatively parents can write to the Headteacher outlining the issue clearly.

Any complaint or issue that is put in writing should be written clearly outlining all the issues and what it is hoped that the preferred outcome should be. All complaints will be acknowledged in writing within 5 working days. A template (Appendix 1) has been created should complainants wish to use it.

• Parents should make an appointment to discuss their concerns with the member of staff who knows about the issue or incident. If the complaint relates to a student, this would normally be the head teacher , who is the principal channel of communication between the school and parents.

• If the complaint relates to the Headteacher, the complaint should be addressed to the Chair of the Advisory Board or direct to LADO .

• If in doubt, the Headteacher is always able to direct an informal complaint to the most appropriate recipient.

• When the meeting takes place, the member of staff will usually write notes during the meeting. Parents can ask for a copy of these notes. If the complaint involves the actions or decisions of another member of staff, it is not usually appropriate to have that person present at the initial meeting. It is for the Head teacher to address the issue with the member of staff about whom the complaint may be being made.

**Formal Stage 1 – Headteacher**

If a parent is still dissatisfied after the informal stage, they can refer the matter to the Headteacher or the Chair of the Advisory Board. This can be done in writing, as this will often make the situation clear to all involved parties, if parental support is needed a member of staff will help.

• The Headteacher may consider that the complaint can be addressed in writing, or may contact the complainant by telephone to ascertain more details. The outcome of the telephone call will be documented.

• Often, she will offer a meeting with the parent or other complainant at a mutually convenient time. At the meeting, and through discussion, the Headteacher will clarify what the issues are. The hopes of what the parent is trying to achieve will also be discussed. Together all parties will agree an acceptable outcome, if possible. This should be to the satisfaction of all parties involved. These should be written down and agreed by all parties so there is no misunderstanding. This will normally be done in the form of a letter to the complainants following the meeting or other conversations.

• If the issue is complex the Headteacher may need to speak to other staff and pupils to investigate the concerns. This should happen within 10 school days. If this timescale cannot be met the Headteacher should inform the parent that this will take longer, explain the reasons for this and give a timescale for when the investigation will be completed. This will be documented.

**Formal Stage 2 – Chair of the Advisory Board**

After speaking or meeting with the Headteacher, if the complaint is still not resolved to the parent’s satisfaction, the complaint can be referred to the Chair of the Advisory Board. This can either be in writing to the chair at the school address or alternatively the school can ask the Chair of the Advisory Board to contact the parent direct. The Headteacher can also refer the complaint to the Chair of the Advisory Board.

• If the Headteacher is the subject of the complaint, the complaint should go straight to the Chair of the Advisory Board and miss out Stage 1. The Chair of the Advisory Board may ask for the complaint to be put in writing (if this has not already happened).

• The Chair of the Advisory Board will offer to meet with the parent or other complainant, at a mutually convenient time, if it is felt more information is required, or if the parent asks for a meeting

• The Chair of the Advisory Board has 15 school days to investigate the complaint. If it cannot be resolved within this time, the chair will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of the Advisory Board should, however, give a realistic timescale for when the complaint should be resolved. The Chair should inform the complainant of when it is expected that the investigation should be completed.

**Formal Stage 3 – Advisory Board Complaints Committee**

If the complaint is still not resolved to the parent’s satisfaction, or Chair of the Advisory Board feels that it is necessary, a Complaints Committee can be set up to consider the complaint. The Chair of the Advisory Board will decide if this is appropriate. If the Chair of the Advisory Board can resolve the complaint there is no need to hold a Complaints Committee meeting. Complaints Committees are a last resort in otherwise completely intractable situations.

• The Chair of the Advisory Board can appoint an Investigating Officer to gather evidence and conduct preliminary interviews on the Chair’s behalf. The Investigating Officer will provide a detailed report of his/her investigation of the complaint, and the complainant should be given a copy of this report

• It is important that the Investigating Officer is seen as impartial. So, whilst the Investigating Officer may be another Governor, s/he cannot be a member of the associated Complaints Committee.

• The Complaints Committee is made up of three members of the School’s Advisory Board who have had nothing to do with the subject of the complaint. The Complaints Committee should meet at a time convenient to all parties, within 10 days of being set up.

• The complainant, the Headteacher, the Chair of the Advisory Board and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish. The Complaints Committee will consider any written material, and also give the person making the complaint, the Headteacher and staff an opportunity to state their case and to question others present. The Complaints Committee will ensure that all present are treated fairly. The meeting will be minuted and everyone present will be given a copy of the minutes.

• The Complaints Committee will give its decision, in writing, within 5 school days after the meeting, along with the reasons for their decision.

• If after this School based process the complaint is still not resolved to the parent’s satisfaction, they should write to the Secretary of State if it is a general complaint, or to the Local Authority if the complaint is about the curriculum and is a curriculum related matter

Policy Sign off and review

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|  | By whom | Date |
| Policy signed off by | Julia Low | 12.01.2016 |
| Reviewed by | Sharon Oakes | 30.09.2019 |
| Next Review By | Julia Low and Advisory Board | 31.10.2020 |

**Appendix 1**

**Complaint Form**

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| --- | --- |
| **Your name Student** |  |
| **Student name** |  |
| **Address** |  |
| **Day time telephone number** |  |
| **Evening telephone number** |  |

**Please give details of the complaint:**

**Have you taken any action to resolve this complaint? Yes/No**

**If you have please give details, including the name of the person you spoke with and what response you received.**

**Signed date**