

**Policy / Procedure Cover Sheet**

<b>Policy/Procedure</b>	Complaints Policy and Procedure		
<b>Type</b>	Operational – Complaints Policy and Procedure		
<b>Applies to project(s)</b>	All	<b>Policy No</b>	OP/06
<b>Created by(owner)</b>	Claire Fyfe		
<b>Status</b>	Released		
<b>Date</b>	1.06.2020		
<b>Next review date:</b>	1.06.2021		
<b>Staff responsible:</b>	Claire Fyfe (Headteacher)		

**Change History**

Version	Description	Date issued	Reason	Next Review Date	Approved by
2	Annual review	1.6.2020	Annual review	1.6.2021	CF

**Related Policies:**

Policy Ref No.	Policy Name	Policy Ref No.	Policy Name
OP/04	Anti-bullying and Harassment	OP/09	Equal Opportunities
OP/03	Behaviour for Learning	OP/15	Exclusion
S?01	Child Protection and Safeguarding	HS/01	Health and Safety
OP/05	Curriculum	HS/05	Managing Drugs
OP/08	Educational Visits	OP/12	Staff Behaviour (Code of Conduct)
S/02	E-Safety		
OP/10	Equality and Diversity		

**Distribution:**

Electronic copy - Website / C:/Company Policies and Procedures/

Hard copies – Company Policy File / Staff Training Portfolio

Section	Operational
Status	Released
Reference	OP/06

**BRIGHT SPARKS LEARNING CENTRE  
Management System  
Master Document Control Details**

Revision	0
Date	June 2020
Sheet No	Page 1 of 8

## Dealing with Complaints Policy and Guidance

### Contents

1. Introduction
2. The difference between a concern and a complaint
3. Principles informing our complaints procedure
4. When an issue or concern first arises
5. Making a Complaint to the Headteacher / Strategic Lead at the Commissioning School or Local Authority

#### a. Appendices

- i. Appendix 1 Complaint Form

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 2 of 8

This policy should be read in conjunction with the following policies:

- i. Anti-bullying policy
- ii. Behaviour for Learning Policy
- iii. Child Protection and Safeguarding
- iv. Curriculum Policy
- v. Educational Visits Policy
- vi. E-Safety Policy
- vii. Equality and Diversity Policy
- viii. Equal Opportunities Policy
- ix. Exclusion Policy
- x. Health and Safety Policy
- xi. Managing Drugs policy
- xii. Staff Behaviour Policy (Code of Conduct)

### Complaints Policy and Procedure

(Adapted from Department of Education Guidelines.)

#### 1. Introduction

- 1.1 Bright Sparks Learning Centre is committed to providing the best possible education and support for all its students. This means having a clear, fair, and efficient procedure for dealing with any complaints to, or against, the centre, so that any issues that arise can be dealt with as swiftly and effectively as possible.
- 1.2 All centre staff/volunteers will be made aware of our complaints procedure and are expected to review this policy regularly so that they are familiar with our complaints procedure and can effectively assist when an issue is brought to their attention.
- 1.3 This policy explains the complaints procedure, the sections of which should be referred to and followed by all students and their parents/carers whenever an issue of concern arises.
- 1.4 If there is an allegation or concern about physical or sexual misconduct towards a student, or there is a belief that a student may be at risk of serious harm, the centre may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the centre and outlined in this policy.
- 1.5 For more information on our centre's provision for protecting our students, read our **Child Protection and Safeguarding Policy**.

#### 2. The difference between a concern and a complaint.

Section	Operational
Status	Released
Reference	OP/06

**BRIGHT SPARKS LEARNING CENTRE**  
**Management System**  
**Master Document Control Details**

Revision	0
Date	June 2020
Sheet No	Page 3 of 8

- 2.1 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 defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.
- 2.2 It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally and without the need to invoke formal procedures. The centre will take informal concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 2.3 There are occasions when complainants would like to raise their concerns formally. In such cases the centre’s formal procedure should be invoked through the stages outlined within this procedure.

### 3. Principles informing our complaints procedure

- 3.1 This procedure is designed to:
- i. be simple and easy to understand
  - ii. be well publicised and easily accessible
  - iii. be impartial
  - iv. allow prompt handling with clear time limits for action; keeping people informed of the progress
  - v. allow a mediation process if agreed by the complainant
  - vi. allow for a hearing by a panel of governors, where appropriate
  - vii. address all points of the complaint
  - viii. provide an effective response and appropriate redress where necessary
  - ix. provide information to the centre’s Senior Leadership Team enabling services to be improved

### 4. When an issue or concern first arises

#### **This is the informal stage in the complaints procedure**

- 4.1 When parents, pupils or members of the public have concerns they should: initially discuss their concerns with the member of staff most directly involved and, if not satisfied, discuss their concerns with a senior member of staff. The complainant will then be invited to an informal meeting with the member of staff most appropriate for dealing with their concern.
- 4.2 We encourage pupils, parents and carers to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.
- 4.3 A written explanation of the concern will need to be provided to the staff member involved, so that the initial problem can easily be understood if the complaint is taken further or referred back to in time.
- 4.4 **If the complaint concerns a member of staff/volunteer:** the complaint should be raised with the headteacher in the first instant, either in person or in writing. A meeting can be arranged with the headteacher for further discussion of the issue.

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 4 of 8

4.5 **If the complaint concerns the headteacher**, a written complaint should be addressed to the headteacher at the commissioning school or strategic lead of alternative provision at the commissioning authority.

**Initial Informal Meeting**

4.6 Once a concern has been raised, the complainant(s) may be invited to attend an informal meeting with a member of staff, or the headteacher, to discuss his/her concern(s.)

4.7 Staff have a responsibility to ensure that the complainant understands any future points of action that have been agreed upon in this meeting and should record the key item of discussion, outcomes and any agreed plan of action.

4.8 We expect the majority of concerns to be resolved in this informal manner and not formally registered.

4.9 Financial compensation will not be paid by the centre as the result of a complaint.

**Formal Complaints**

4.10 **Stage 1:**

Discussion of concern with the headteacher.

4.11 The headteacher should provide a written receipt of the complaint within 5 school days and then inform the complainant of the outcome of their investigation within a further 10 school days.

4.12 The headteacher may call a meeting to discuss the issue, outcome and possible solutions or explain further steps that are being taken as a result of the complaint.

4.13 Complainants should be encouraged to state the appropriate actions they consider should be taken to resolve the problem at any stage. An admission that the centre could have handled the situation better is not the same as an admission of negligence.

4.14 **If the complaint concerns a member of staff/volunteer**, the headteacher will discuss the complaint with the individual. If it is an allegation of abuse, a formal investigation may be instigated by the centre or external child welfare authorities to whom the centre reports. **Complaints about the headteacher should be reported to the headteacher of the commissioning school or strategic lead of alternative provision at the commissioning local authority.**

4.15 The headteacher will keep a record of all interactions with the complainant and other staff in addition to meetings and decisions made in reference to the complaint.

4.16 At each stage in the procedure, the centre will be mindful of the ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or complaint is valid in whole or part. Moreover, it may be appropriate to offer one or more of the following:

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 5 of 8

- i. an apology
  - ii. an explanation
  - iii. an admission that the situation could have been handled differently or better
  - iv. an assurance that steps will be taken to ensure the event will not recur
  - v. an explanation of the steps that have been taken to ensure that it will not happen again
  - vi. an undertaking to review centre policies in light of the complaint
- 4.17 *Only when all these avenues have been tried, and found unsatisfactory, should the complainant take a complaint to the headteacher at the commissioning school or the strategic lead of alternative provision at the commissioning local authority.*

**5. Making a Complaint to the Headteacher / Strategic Lead at the Commissioning School or Local Authority**

**This is the second formal stage**

- 5.1 If, having spoken to the headteacher, the complainant remains dissatisfied with the outcome of their complaint, a written complaint may be lodged with the headteacher at the commissioning school address or the strategic lead of alternative provision at the commissioning local authority. The envelope should be marked 'FOR IMMEDIATE ATTENTION PRIVATE AND CONFIDENTIAL' and staff in the school/local authority central office must ensure that the letter is forwarded to the headteacher/strategic lead without delay.
- 5.2 The commissioning school and/or local authority will invoke their own complaints procedure.

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 6 of 8

## Appendix 1: Complaint Form

The *Complaint Form* must be used by any person making a complaint about the operation of the centre which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils or members of the public, e.g. centre neighbours.

Anyone receiving this form, should be advised verbally that help in completing it is available from the centre. A member of the centre's staff who is familiar with the process should be nominated to give help.

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 7 of 8

**Complaint Form**

*(Please complete and return to the headteacher who will acknowledge receipt and explain what action will be taken.)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Daytime telephone number: \_\_\_\_\_

Evening telephone number: \_\_\_\_\_

Actions already taken to resolve your complaint:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Your relationship to the centre, e.g. parent, carer, neighbour, member of the public:

\_\_\_\_\_

What actions do you feel might resolve the problem at this stage?

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<b>Official Use</b>	
Date of acknowledgement sent:	
By whom:	
Complaint referred to:	
Date of referral:	

Section	Operational
Status	Released
Reference	OP/06

Revision	0
Date	June 2020
Sheet No	Page 8 of 8