Outcomes First Group

COMPLAINTS POLICY

Hemlock Stone School

Children's Education

COMPLAINTS POLICY

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1.0 INTRODUCTION

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. For complaints relating to data, please see OFG's *Data Protection Complaint Procedure*.

2.0 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.

3.0 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 suspensions or admissions).

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

4.0 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).

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 days*, (where further investigations are necessary that will exceed this time period, new time limits will be communicated with an explanation for the delay). Complaints received out of term-time will be considered to be received on the next school day. For example, a complaint made during the school summer holidays will be considered to be received on the first day of the autumn term.

If a complainant has difficulty making a complaint in writing, the school will take reasonable steps to support the complainant in making their complaint.

The school will accept complaints made by third parties on behalf of parents. The school may, however, ask for evidence that the third party has consent to act on behalf of the parent (and to be privy to any information discussed during the complaints procedure and any personal data that may be disclosed in the response).

Formal Complaint (Stage 2)

If parents or carers are not satisfied with the response at Stage 1, they should write formally to the Headteacher, Rachel Tunney. The Headteacher will investigate the complaint further and respond in writing within 10 days (where further investigations are necessary that will exceed this time period, new time limits will be communicated with an explanation for the delay). If the complaint is against the Headteacher, the complaint should be addressed to the School's Chair of Governors, also known as the Regional Director for Education, John Shanahan: Outcomes First Group, Atria, Spa Road, Bolton, BL1 4AG. The Schools' Chair of Governors (Regional Director) will investigate and respond within 20 days.

Complaints received out of term-time will be considered to be received on the next school day. For example, a complaint made during the school summer holidays will be considered to be received on the first day of the autumn term.

If a complainant has difficulty making a complaint in writing, the school will take reasonable steps to support the complainant in making their complaint.

The school will accept complaints made by third parties on behalf of parents. The school may, however, ask for evidence that the third party has consent to act on behalf of the parent (and to be privy to any information discussed during the complaints procedure and any personal data that may be disclosed in the response).

Formal Complaint (Stage 3)

If the parents or carers are still not satisfied with the response at Stage 2, they should inform the School's Chair of Governors (Regional Director, John Shanahan) who will arrange a panel to hear the complaint.

We will not normally accept a request for escalation to stage 3 if it is made more than one month after the stage 2 response is sent unless there is a genuine reason, for example, the complainant was unwell.

1. 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).
2. The date of the panel meeting will take into account the availability of the parents or carers as well as the school and will take place within 30 days.
3. Complaints received out of term-time will be considered to be received on the next school day. For example, a complaint made during the school summer holidays will be considered to be received on the first day of the autumn term.
4. If a complainant has difficulty making a complaint in writing, the school will take reasonable steps to support the complainant in making their complaint.

5. 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).
6. 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 days of the conclusion of the hearing to the Proprietor, Regional Director, the Headteacher, the parent or carer and, where appropriate, the person complained about.
7. 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 in order to facilitate the parent(s) exercising the right of attendance.
8. 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 final 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 163 of the Education Act 2002 requests access to the records.

9. The number of complaints registered under the formal procedure during the preceding school year will be published on the school website.

5.0 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.

Additional elements relevant to the complaints process

1. **Anonymous concerns and complaints**

This policy and procedure only apply in respect of concerns and complaints raised by parents/carers and key stakeholders. We will not, therefore, respond to concerns or complaints raised anonymously unless these are of a safeguarding nature. We will not, therefore, respond to concerns or complaints raised anonymously unless these are of a safeguarding nature. We will, however, consider the issues raised and take action where appropriate.

2. **Community complaints**

Any **known** community member making a complaint will receive communication from the school to ascertain the severity of the complaint. We will then assess the nature of the complaint and determine whether any further action needs to be taken.

3. **Repeated complaints**

If we have responded to a complaint and we receive a duplicate complaint from someone else, we will assess it to determine whether there are aspects that we had not previously considered. If we are satisfied that there are no new aspects, we will inform the complainant and direct them to the local authority or the Department for education if they are dissatisfied with our response to the original complaint. If there are new aspects, we will follow this policy and procedure again.

6.0. UNREASONABLE COMPLAINTS

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, if a complainant displays unreasonable or unreasonably persistent behaviour, we may need to take action to limit contact in the interests of maintaining the effectiveness of this policy and procedure and to ensure the safety and wellbeing of our colleagues.

Examples of unreasonable and unreasonably persistent behaviour include, but are not limited to:

- being abusive or making threats of any kind;

- being physically or verbally intimidating or offensive;
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

7.0. DATA PROTECTION COMPLAINTS

Parents, pupils, staff or others who believe their personal data has been mishandled should make a formal complaint **to the school first**, not directly to the ICO in line with the Data (Use and Access) Act 2025, section 103, section 164A in the Data Protection Act 2018. Complaints will be handled in line with the timelines set out above, complaints will be acknowledged within 30 days. Complaints should be submitted to our Data Protection Officer, Rachel Brewer at the email address admin@hemlockstoneschool.co.uk or by contacting the school on 0115 6466730.



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