



Complaints Policy

November 2024

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Zero complaints received for the academic year 2023 – 2024

Important contacts

| ROLE/ORGANISATION | NAME | CONTACT DETAILS |
|---|-----------------|--|
| Designated safeguarding lead (DSL) | Rebekah Dennett | rebekah.dennett@cambiangroup.com 07776 528079 |
| Local authority designated officer (LADO) | Tim Booth | 0300 123 6720 Out of hours: 0300 123 6722 |
| Regional Lead | Richard Winzor | Richard.winzor@cambiangroup.com 07442 603132 |
| Channel helpline | | 020 7340 7264 |

If the child is at immediate risk, please call the police on 999.

1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Brook View School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures, we will use this complaints procedure.

2. 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 defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. Brook View School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Rebekah Dennett, the Principal, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Brook View School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

3. How to raise a concern or make a complaint

Any person, including pupils, staff or members of the general public, may raise a concern or make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). The School will not limit complaints to parents or carers of children that are registered at the school.

It is important in that pupils have a voice and are listened to as valued members of the school community. Central to this concept is the idea that all pupils will be supported to raise any concerns they may have about the school, will be listened to, and can be assured that the staff team will act on these concerns to achieve resolution. Pupils placed in the school have a variety of options when wanting to raise a concern and these include the following:

- Group meetings
- Tutor time
- 1:1 with a member of teaching staff at any time
- School Council
- To a member of staff in the residential home, who can then bring the concern to the school
- To any other professional involved in the life of the child, and who can then advocate on their behalf

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Principal. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Principal) should be made in the first instance, to Rebekah Dennett (Principal) via telephone or email (please mark them as Private and Confidential).

Complaints that involve or are about the Principal should be addressed to Richard Winzor (Regional Lead), via email (please mark them as Private and Confidential).
Richard.winzor@cambiagroup.com

For ease of use, a template complaint form is included at the end of this policy. If you require help in completing the form, please contact the school office via telephone. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

The School will make every effort to resolve the concern in an informal and timely manner, and will always give the person raising the concern the opportunity to express how they

would resolve the situation, or the outcomes they would require for resolution to be achieved.

Should such resolution not be achieved, or someone request to make a formal complaint, then the formal complaints process will be initiated and adhered to, to conclusion.

4. Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Principal or Regional Lead, if appropriate, will determine whether the complaint warrants an investigation.

5. Time Scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

6. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. Scope of this complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by Brook View School, other than complaints that are dealt with under other statutory procedures, including those listed below.

| Exceptions | Who to contact |
|--|--|
| Matters likely to require a Child Protection Investigation | Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub. |
| Exclusions of children and / or young people from school. | Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldisciplineexclusions/exclusions |

| | |
|---------------------------------|--|
| Whistle-Blowing | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus |
| Volunteer staff and/or visitors | Volunteer staff or visitors who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint. |
| Staff Grievance | Complaints from staff will be dealt with under the school's internal grievance procedures. |
| Staff Conduct | Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed. |

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA), Safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Brook View School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

8. Resolving Complaints

At each stage in the procedure, Brook View School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur

- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

9. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

10. Duties of the School

In order to ensure transparency and to meet the requirements of Part 7, Regulation 33; The Education (Independent Schools Standards) Regulations 2014, the school will ensure that the Complaints Policy and Procedure:

- Is easily accessible and publicised;
- Available on request;
- Is simple to understand and use;
- Is impartial;
- Is non-adversarial;
- Enables a full and fair investigation by an independent person where necessary;
- Respects people's desire for confidentiality;
- Addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
- Provides information to the School's senior management team so that services can be improved;

11. Stage 1

Formal complaints must be made to the Principal (unless they are about the Principal). This may be done in person, in writing (preferably on the Complaint Form), by telephone or via email.

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within ten school days. Within this response, the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Principal may delegate the investigation to another member of the school's Senior Leadership Team but not the decision to be taken.

During the investigation, the Principal (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of their investigation, the Principal will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Brook View School will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Principal, or Regional Lead, a suitably skilled representative will be appointed to complete all the actions at Stage 1.

If the complaint is:

- jointly about the Principal and Regional Lead
- the entire Senior Leadership Team
- the majority of the Senior Leadership Team

Stage 1 will be considered by an independent investigator appointed by Cambian. At the conclusion of their investigation, the independent investigator will provide a formal written response.

12. Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Senior Leadership Team, which will be formed of the first three, impartial, Senior Leaders available.

A request to escalate to Stage 2 must be made to the Principal in writing or via email, within five school days of receipt of the Stage 1 response.

The Principal will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Principal will write to the complainant to inform them of the date of the meeting.

They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Principal will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Principal will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three school representatives with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three school representatives from Brook View School available, the Principal will source any additional, independent Cambian representatives, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by Union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Principal will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The Chair of the Committee will provide the complainant and Brook View School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Brook View School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent school representatives.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Brook View School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

13. Stage 3

Timescale: 28 Days

1. If dissatisfied with the outcome of a Stage 2 Formal Investigation, a complainant may request a Stage 3: Review Panel to consider their complaint; they may also ask that their complaint be passed to the Placing Authority or Regulatory Authority. To initiate a Stage 3: Review Panel, the complainant should notify the Principal, either verbally or in writing; the notification will be confirmed in writing explaining the process and timescales for convening a Stage 3 Review Panel.

2. The Principal will ensure that:

- a. Senior managers and, if the complaint involves a pupil at the school, the placing authority, and/or parents / corporate parents, are notified and briefed as necessary until the matter is resolved;
- b. The complainant is clear about the process and timescales;
- c. Where the complainant is a young person, they have access to an independent advocate or representative at the panel hearing. Young people may also be accompanied by their parents or a representative of the corporate parent. Where a parent, that they are made aware of their right to be accompanied at the panel hearing;
- d. Necessary arrangements are made for the Review Panel to be conducted in a fair and thorough manner. The Review Panel has the power to make findings and recommendations on the complaint as suggested by the evidence presented to the panel;
- e. A Review Panel is established to consider the matter. For complaints arising in the School, the review panel process will, generally, involve the Regional Lead and 2 other members of the Senior Management Team, independent of the matter under consideration. The Regional Lead will chair the panel and report back to the Principal on any recommendations made by the Review Panel.
- f. The Review Panel communicate their recommendations to the complainant in writing, and within the timescales for the Stage 3 process;
- g. The person(s) about whom the complaint was made will receive the same information in writing, along with any actions requiring attention.
- h. The recommendations of the Review Panel are included in the complaints record and filed in the school's Complaints File;
- i. The process described at Stage 2 (9) (a-d) must also be completed.

14. Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Brook View School. They will consider whether Brook View School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

15. Roles and responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved o interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

The Principal or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Principal, Regional Lead and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
- sharing third party information
- Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records

Principal

The Principal is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Principal) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting:

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Principal (and complaints co-ordinator)

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so.
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

Confidentiality

Standard 7, Regulation 33 (k) of The Education (Independent Schools Standards) Regulations 2014 requires that:

“(k) provides that 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.”

The School's Complaints File, containing a complete record and evidence of each individual complaint will be held by the Headteacher, in the Headteacher's office. This file is confidential and will only be made available to those people stipulated in the Standards, and on request. Findings and recommendations are available for inspection on the school premises by the proprietor and Headteacher. Records will indicate whether complaints were resolved following a formal procedure or panel hearing. Action taken by the school as a result of the complaints will be evaluated by the proprietor to ensure improvement in practice.

Complaints records involving the Principal will be held in a likewise manner by the Regional Lead.

The Complaints Log, contains only the information required to log the complaint and its nature. It will not contain any of the confidential detail of the complaints process being undertaken for that complaint.

16. Review

This policy will be reviewed on an annual basis by the Principal and Regional Lead.

It will be due for review in **October 2026**.

17. Links to other policies

Certain points discussed in this policy may be investigated in greater detail through referring to other policies and documents listed below:

- Safeguarding and child protection policy
- Staff code of conduct
- Behaviour policy
- Risk assessment policy
- Online safety policy
- Whistle-blowing policy
- Data protection policy
- Equal opportunities

Appendix A: Complaint Form

Please complete and return to The Principal who will acknowledge receipt and explain what action will be taken.

| |
|--|
| Your name: |
| Pupils name (if relevant): |
| Your relationship to the pupil (if relevant): |
| Address: |
| Post code: |
| Day time telephone number: |
| Evening telephone number: |
| Please give details of your complaint, including whether you have spoken to anybody at the school about it. |

| |
|---|
| <p>What actions do you feel might resolve the problem at this stage?</p> |
| <p>Are you attaching any paperwork? If so, please give details.</p> |
| <p>Signature:</p> <p>Date:</p> |
| <p>Official Use</p> |
| <p>Date acknowledgement sent:</p> |
| <p>By who:</p> |
| <p>Complaint referred to:</p> |
| <p>Date:</p> |

Appendix B: School Procedure for receiving and investigating complaints by Young People

