



Complaints Policy & Procedure

Date Policy Drafted: January 2023

Member of staff Reviewing Policy: Principal

Approved by the Trustees: February 2023

Next Review Date: March 2025

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1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of students at the school, and others.

The aim of this policy is to ensure that a concern or complaint by a Parent/Carer is managed sympathetically at the appropriate level and resolved as soon as possible. We endeavour to resolve every concern or complaint in a positive way, with the aim of resolving the issue in a transparent matter, to mutual satisfaction.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We will try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed as set out in this policy.

Throughout the complaint process, we will be sensitive to the needs of all parties involved and make any reasonable adjustments required.

2. Legislation and guidance

This document meets the requirements set out in regulation 33 of the Education (Independent School Standards) Regulations 2014, which states that the school must make available written procedures to deal with complaints from our students' parents / carers.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

3. Definitions and scope

The DfE best practice guidance for school complaints procedures explains the difference between a concern and a complaint:

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible.
- A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

A complaints procedure is not a legal process and the school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Education, Health & Care (EHC) needs assessments
- Safeguarding / child protection matters
- Student exclusion
- Whistle-blowing
- Staff grievances and discipline
- Withdrawal from the curriculum (excluding Religious Education (RE) and Daily Act of Collective Worship (DACW))
- Data Protection and Freedom of Information

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents about Special Educational Needs (SEN) provision in school is within the scope of this policy. Such complaints should first be made to the Special Educational Needs Co-ordinator (SENCO), they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of on roll students with disabilities who believe that our school has discriminated against their child.

This complaints Policy is for Parents/Carers of students who are natural parents or have parental responsibility for a student. This does not include parents or carers of students no longer at Lighthouse school (unless the complaint was originally raised when a student was still at the school).

Complaints from members of the public who are not parent/carers of on roll students of a student at Lighthouse school fall outside of this policy and the school will handle these respectfully and expediently via correspondence only, without a panel stage. They will not have the right to escalate their complaint to an independent panel as set out in section 5 of this policy.

Complaints about services delivered by other providers who use school premises or facilities should be directed to the external provider's own complaints procedure.

Throughout this policy, working days refers to school working days and excludes weekends, bank holidays, school holidays, training days and where school may be closed due to severe weather and / or an infectious disease breakout.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We expect all our staff to be treated in a respectful manner and for communication to remain appropriate at all times. Where it is reasonably believed that a complaint or complainant is unreasonable, vexatious or making persistent complaints, the procedure outlined at Section 8 of this policy will be used.

Any anonymous complaint will not be investigated under this procedure, unless there are exceptional circumstances.

We intend to address complaints as quickly as possible.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5. Stages of complaint (not complaints against the Principal or Trustees)

Lighthouse School Complaints Procedure Flowchart: Appendix 1

Stage 1: Informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Principal, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office on 0113 457 0605 or by e-mail admin@lighthouseschool.co.uk. The school will acknowledge a complaint within 3 working days.

If a complaint is received after the end of the school day, it will be treated as being received on the next school working day.

If a complaint is received during the school holidays, it will be treated as being received on the first working day of the next term.

A complaint can be lodged within 3 months of an issue arising, however we will take exceptional circumstances into account.

The informal stage will involve a meeting between the complainant and the relevant member of staff. We will ask a Parent/Carer what they think may resolve the issue and advise the complainant of any escalation options at each stage.

We value informal meetings and discussions and aim to resolve any concerns with open dialogue and mutual understanding. If the complainant wishes to hold a meeting to discuss their concern or complaint, they should explain the nature of this by using the Meeting Request Form provided (see Appendix 2)

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal (complaint made in writing, investigation and written findings)

If a complainant feels that their concern or complaint has not been resolved at the informal stage to their satisfaction. They need to put their complaint in writing to the Principal in a letter or email, where possible using the Complaints Form (Appendix 2).

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel should have

been done and what would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office for support. The school will acknowledge receipt of the written formal complaint within 3 school working days excluding bank holidays or days the school is closed for another reason).

If a complaint is received after the end of the school day, it will be treated as being received on the next school working day.

If a complaint is received during school holidays, it will be treated as being received on the first working day of the next term.

The Principal (or other person appointed by the Principal for this purpose) will then conduct their own investigation and may offer the complainant a meeting. Whenever reasonably possible, any meeting with the complainant will take place within 15 working school days. If the meeting invitation is accepted, they may be accompanied by one other person such as a friend or relative to assist them in explaining their concerns.

If necessary, witnesses will be interviewed and statements taken from those involved.

Once all the facts have been established, the written conclusion of the investigation will be sent to the complainant within:

- 15 working school days of the meeting, if no meeting is agreed;
- within 25 working school days of the written complaint being received

If the complainant is not satisfied with the response and wishes to proceed to the next stage (Stage 3) of this procedure, they should inform the Chair of Trustees in writing within 10 working school days. Any request must state where the complainant remains dissatisfied.

If further investigations are necessary and timescales cannot be met, the school will notify you of new time limits in writing.

Stage 3: Review panel hearing

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response and decision to the complaint at the second, formal, stage. The complaint will only be considered at Stage 3 if procedures at Stages 1 and 2 have been followed.

To request a hearing by a review panel, the complainant should write to the clerk of the Trustee Body using the Complaint Review Request Form (Appendix 4) within 10 working days of receiving the decision of the Second formal stage.

The aim of a panel hearing is reconciliation and to put things right if applicable. The Panel are not required to engage with any legal arguments in a complaint and will identify which aspects of the complaint can be dealt with in the process. The Trustee clerk can guide the panel on relevant matters to address and the irrelevant ones to ignore. The DfE recommends that neither the complainant nor the school bring legal representation as the panel is not a form of legal proceedings. However, there may be occasions where this is appropriate if an employee is a witness to a complaint, so may be entitled to bring Union or legal representation.

The panel will be identified by the Chair of Trustees and will comprise of three people: two Trustees who have not been directly involved in the details in the complaint (and have no conflict of interests) and a third-party member who will be independent of the management and running of the school – this can be an experienced and trained individual from another school.

The panel will have access to the existing record of the complaint's progress (see Section 9).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

If school has made reasonable attempts to accommodate complainants with dates for complaint meetings and they are either unable or refuse to attend, school will either convene meetings in their absence or reach a conclusion in the interests of drawing the complaint to a close.

The complainant is allowed to attend the panel hearing and be accompanied if they wish by one other person such as a friend or relative but this should not be a legal representative.

The clerk to the Trustee body will also attend the hearing to keep a written record of the proceedings and provide advice regarding the process.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will provide minutes of the hearing alongside their findings and recommendations in writing.

The school will inform those involved of the decision in writing within 3 working school days to include the reasons for any decisions and any further rights of appeal.

The panel can:

- Request additional information from the complainant and / or the school to assist them in making their decision
- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's system or procedures to ensure that problems of a similar nature do not reoccur

A written record will be kept of all complaints, including at what stage they were resolved. School will record the progress of the complaints, the final outcome, if the case progressed to a panel hearing, and the action taken by the school. The Principal and Business Manager are responsible for these records and ensuring the data is kept secure.

All correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Secretary of State or where disclosure is required under an inspection or under legal authority.

Where a Complainant bypasses the stage of the complaints process by contacting the Chair of Trustees direct, they will decline to get involved at that stage and refer the complainant through the complaint stage process outlined in section 5 above. Their involvement to this extent does not then prejudice their involvement at latter stages of the process.

Recording of panel meetings

All parties must agree in advance to the meeting being recorded. School will make reasonable adjustments for a complainant who has communication difficulties or a disability in line with the school's obligations under the Equality Act 2010.

Unless exceptional circumstances apply, the DfE will support schools who refuse to accept, as evidence recordings of conversations that were obtained covertly and without informed consent of all parties being recorded.

Please refer to Appendix 1 as a summary of the complaints procedure.

6. Complaints against staff, the Principal, a Trustee or the whole Trustee body

Complaints against staff members are handled by the Principal or other members of the Senior Leadership Team (SLT), then the complaints process is followed, including a panel hearing if applicable. Complainants will not be informed of any disciplinary action taken against a member of staff as a result of a complaint.

Complaints made against the Principal should be directed to the Chair of Trustees or Vice Chair in the absence of the Chair who will (if an informal resolution cannot be reached), designate a Trustee to investigate in the same

way as the first stage of the formal process outlined above in this Stage 2.

Where a complaint is against the Chair of Trustees, the entire Trustee body / all Trustees, complaints should be sent to the clerk to the Trustee body in the first instance who will then determine the most appropriate course of action.

Table summary of where to direct your complaint:

Member of staff the complaint refers to	Complaint to be sent to
Member of teaching and support staff	Principal or other members of SLT
Principal	Char of Trustees or Vice Chair
Chair of Trustees	Clerk to the Trustee body
Board of Trustees	Clerk to the Trustee body

The stages of complaints as detailed in Section 5 will then be followed.

7. Referring complaints after completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with correctly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the Secretary of State
- Whether the school has failed to comply with any other legal obligations

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

8. Persistent or Vexatious complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Trustees (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the procedure has been completed and the matter is closed.

If the complainant subsequently contacts the school again about the same issue, correspondence will be deemed 'serial' or 'persistent' and the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if a complaint is of a frivolous or vexatious nature such as:

- We have reason to believe the individual is contacting the school with the intention of causing disruption annoyance or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, obsessive,

- persistent, harassing, prolific, repetitious and/or
- The individual makes insulting personal comments about, or threats towards, school staff
- Demands for redress that lack any serious purpose or value and have unrealistic outcomes.

The application of a 'serial' or 'persistent' marking will be against the subject or complaint. Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Communication strategy for persistent correspondents:

If an individual's behaviour is causing a significant level of disruption (regardless of whether a complaint has been lodged), school will deviate from the Complaints procedure set out in Part 5 and may:

1. Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it.
2. Restrict the individual to a single point of contact via an e-mail address
3. Limit the number of times an individual can make contact, such as a fixed number of contacts per term
4. Conduct the Review panel on the papers only and not hold a hearing
5. Refuse to consider the complaint and refer directly to the EFSA.

Any information requested will be provided with under the statutory time frames under the Education (Pupil Information) (England) Regulations 2005.

The school will write to the complainant to inform them why the school believe their behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of the action.

If behaviour is extreme and threatens the safety and wellbeing of students, Parents /Carers staff or Trustees, we will consider alternative options which may involve reporting an incident to the police or instructing legal action, In these circumstances, we may not give the complaint prior warning of such action.

Barring from school premises

School will ensure that it remains a safe place for students, parents/carers, staff and other members of the community.

If an individual's behaviour is cause for concern, the Principal or designated deputy, can ask them to leave the school premises and in extreme cases, can be barred from entering the school premises. In the case of the latter, an individual will be given the opportunity to express their views on a decision to bar.

The Principal's decision to bar will then be reviewed by either the Chair of Trustees or a Committee of Trustees taking into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision to bar is confirmed, the individual will be notified in writing to explain:

1. how long the bar will be in place and
2. when the decision will be reviewed

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal stage procedures will apply as outlined in Section 5.

9. Record-keeping

The school will record the progress of all formal complaints in a complaint register, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in

investigating the complaint, ensuring the information is up to date and secure, on the review panel or members of the Senior Leadership Team (SLT).

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a Subject Access Request (SAR) under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Trustee body in case a review panel needs to be organised at a later point.

Where the Trustee body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Trustee body, who will not unreasonably withhold consent.

10. Learning lessons/improvements

The Trustee body will review any underlying issues raised by complaints with the Principal, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

11. Monitoring arrangements

The Trustee body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trustee body will track the number and nature of complaints, and review underlying issues as stated in section 10. The termly Principal's report to the Trustee Body will provide details of complaints received.

The complaints records are logged and managed by the Business Support Team.

This policy will be reviewed by the Principal and Trustees every three years.

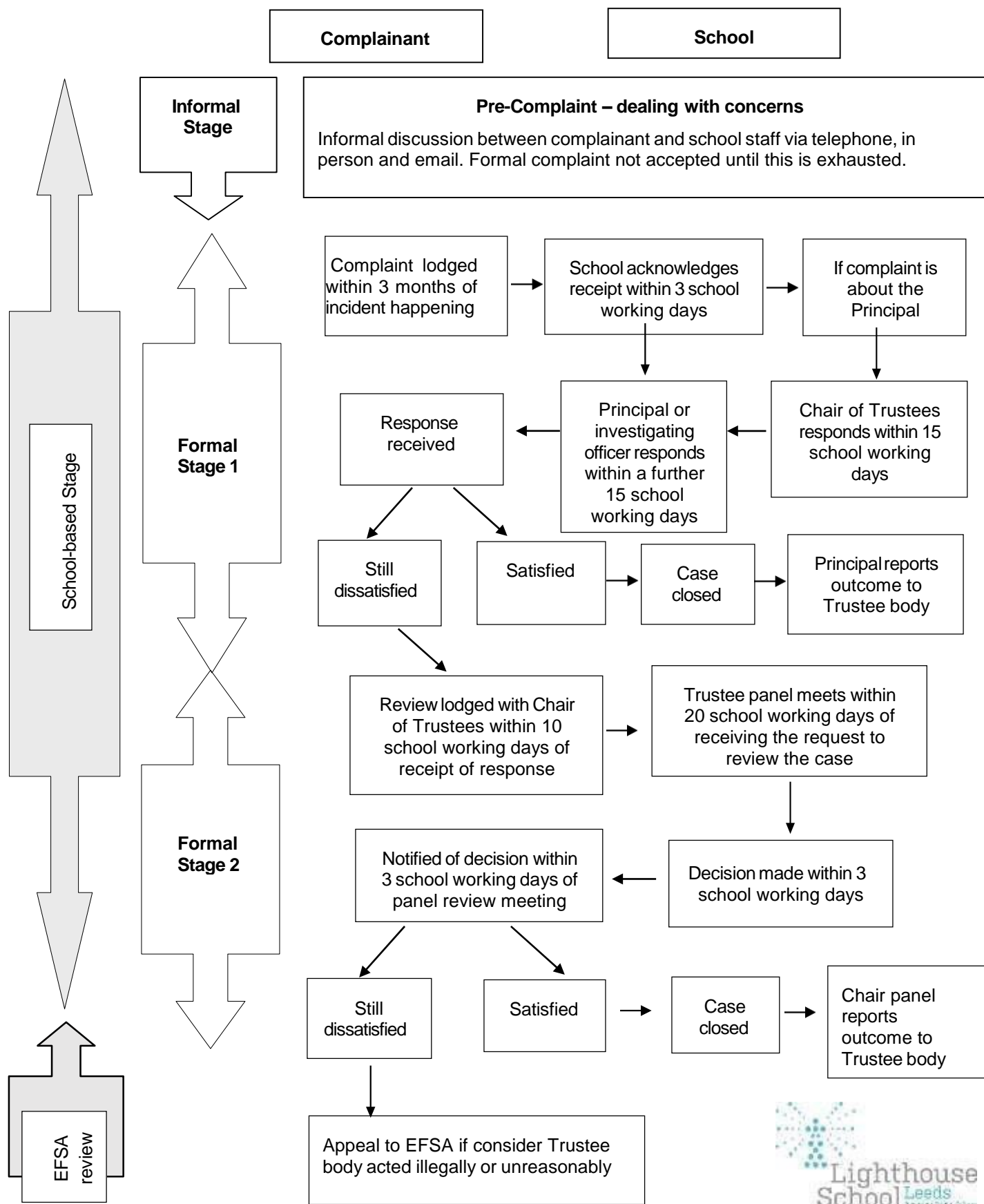
At each review, the policy will be approved by the full Trustee body.

12. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

Appendix 1: Lighthouse School Complaints Procedure: Flowchart



If the school receives a complaint after 3.30pm it will be deemed as being receiving on the next working day and if received during the school holidays, it will be taken as being received on the first working day of next term.

Appendix 2 – Lighthouse school: Formal Complaint Form

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint.
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)? Please include dates

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

Are you attaching any paperwork? If so, please give details.

If you give your consent for a third party to act on your behalf, please give their full name and contact details below:

Name: _____

Telephone Number: (____) _____

Address: _____

Signature:

Please print name:

Date:

Official use only

Day and date complaint received:

Complaint received on a working school day? Y / N

Date acknowledgement sent:

By whom:

Complaint referred to:

Appendix 3: Lighthouse school: Complaint review request form

Please complete this form and return it to the Clerk of Trustees at Lighthouse school's address who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:
Student's name
Your relationship to the student
Address: Postcode: Day time telephone number: Evening telephone number:
Signed _____ Dated ____ / ____ / ____
Dear Sir/Madam, I submitted a formal complaint to Lighthouse school on ____ / ____ / ____ and I am dissatisfied by the procedure that has been followed. My complaint was submitted to _and _____ I received a response from _____ on _____. I am dissatisfied with the way in which the procedure was carried out, because: You may continue on separate paper, or attach additional documents if you wish. Number of additional papers attached = ____
What actions do you feel might resolve the problem at this stage?

For official use only:	
Date form received	Acknowledgement sent
Received by	Sent by
Complaint referred to	Referred on:
Request referred to	Date: