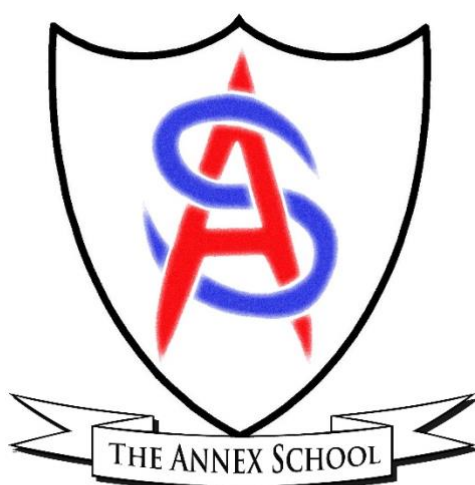




The Annex School Complaints Policy



The Annex School

Approved by: Jane Parish/Elesha Lee Date: September 2023 Next Review Date: Annually



At the Annex School, all staff are dedicated to providing students with the best possible education and will act in line with their best interests regarding health, safety and welfare at all times. We are committed to working closely with key workers, social workers and where appropriate parents.

Statement of Policy

The Annex School must be clear about the difference between a concern and a complaint. The Department for Education (DfE) defines a concern as 'an expression of worry or doubt over an issue considered to be important, for which reassurances are sought'. It defines a complaint as 'an expression of dissatisfaction, however made, about actions taken or lack of action'. Taking informal concerns seriously at the earliest stage will reduce the development of concerns to formal complaints.

Concerns are handled, if at all possible, without the need for formal procedures. The requirement to follow the complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher/designated teacher will receive the first communication. Staff should try to resolve issues on the spot, including apologising and taking appropriate actions where necessary.

Dealing with Complaints: Formal Procedures

Formal procedures will need to be undertaken where initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied, stating they would like to take the matter further.

Framework of Principles

Our complaints procedure will:

- be impartial and non-adversarial
- encourage a resolution of problems by informal means wherever possible
- be simple to understand and use
- allow swift handling, with established time-limits for action and keeping relevant parties informed of the progress
- ensure a thorough and fair investigation by an independent person, where necessary
- respect people's desire for confidentiality
- address all identified points of the issue and provide an effective response and appropriate solution, where necessary
- provide information and outcomes to the senior management team to avoid similar concerns within the services in the future
- throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.



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
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

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

Investigating Complaints

At each stage, the person investigating the complaint will ensure they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if further information is required)
- clarify what the complainant feels would put things right
- collect information pertinent to the complaint raised
- when appropriate, interview those involved in the matter and/or those who are the subject of the complaint, allowing them to be accompanied if requested
- conduct any interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure, the school will consider ways to resolve a complaint. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or in a better manner
- an assurance that the event of the complaint will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- a review of school practice and policies in light of the complaint.



Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation differently is not the same as an admission of negligence. It is important to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Time Limits

Complaints will be considered and resolved as quickly and efficiently as possible. Realistic time limits for each action within each stage are defined below. However, where further investigations are necessary, new time limits can be set and the complainant will be sent details of the new deadline and an explanation for the delay.

Complaints must be presented to the school, within three months of the incident arising. However, the school recognises that there may be extenuating circumstances where this is not possible and will be flexible in its application of this time limit, where appropriate.

A complaint will be deemed closed unless a request for further action is received within 20 working days of the last communication from the school relating to the complaint.

The Formal Complaints Procedure

At each stage, clarification of who will be involved, what will happen and how long it will take must be communicated. There may, on occasion, be the need for flexibility - for example, there may be a need for further meetings between the complainant and the member of staff directly involved or further investigations may be required by the Headteacher after a meeting with the complainant.

Stages of a complaint:

- Stage One: Complaint heard by staff member (although not the staff member who is the subject of the complaint)
- Stage Two: Complaint heard by the Headteacher
- Stage Three: Complaint heard by the Managing Director
- Stage Four: Complaint heard by an Independent person (someone who is not employed by J&R Care Ltd).

If a complaint concerns the conduct of the Headteacher or Director, or where the Headteacher or Director have been involved in the complaint previously, the other person will hear the complaint or the complainant can be directed to DfE.

Complaints Procedure

Stage One: Informal complaint heard by Staff Member

It is in the interests of everyone that complaints are resolved at the earliest possible stage. The complainant's experience during the first contact with the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedure, they will know what to do when they receive a complaint.



The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, school staff can refer the complainant to another staff member or senior care worker. Where the complaint concerns the Headteacher, it should be referred directly to the Managing Director.

The leadership team will ensure fair and impartial consideration of all complaints and ensure that complainants are provided with well-considered responses to their concerns within the appropriate timescales. Complainants can contact a designated individual to discuss the progress of their complaint, or to indicate that they wish their complaint to be considered further at the next stage. The school will maintain a record of all complaints referred to and will ensure that all correspondence, statements and records of any such complaints are kept confidentially. Upon receipt of any complaint about the school, a response will be sent to the complainant within ten working days. Similarly, if the member of staff directly involved feels they need to escalate a complaint, the Headteacher or other senior leader may consider referring the complainant to another staff member. While the member of staff may be more senior, this is not a requirement. The ability to consider the complaint objectively and impartially is paramount.

Where the first approach is made to a Director, the Director must refer the complainant to the appropriate person and advise the complainant about the procedure. Directors must not act unilaterally on an individual complaint outside the formal procedure, or be involved at the early stages, in case they are needed to sit on an impartial panel at a later stage of the procedure.

Stage Two: Formal complaint heard by Headteacher

If, after stage one, the complainant does not feel that their concern has been properly addressed, or if their concern relates to a particular teacher, the matter should be raised with the Headteacher. Upon receipt of the complaint, the matter will be reviewed and a response sent to the complainant within ten working days. This response may invite the complainant to a meeting to discuss the matter further to try to achieve a satisfactory resolution. The Headteacher may delegate the task of collating the information to another staff member, but may not delegate the decision on the action to be taken.

Stage Three: Formal complaint heard by Managing Director

If the complainant remains dissatisfied following stage two, or if the complaint relates to the Headteacher, the complaint may be raised with the Managing Director. Upon a complaint being referred, the Managing Director will undertake a separate investigation into the circumstances of the complaint. The Managing Directors decision is final.

Managing and Recording Complaints

A complaint may be made in person or in writing. At the end of a meeting, the member of staff should ensure that the complainant and the school have the same understanding of what



was discussed and agreed outcomes. A brief note of this meeting should be kept and a copy of any written response added to the complaint record.

The Managing Director will hold these documents centrally. All correspondence, statements and records of a complaint will be kept confidentially but must be shown to Her Majesty's Inspector (HMI) during an inspection.

The school will record the action taken as a result of all complaints, regardless of whether they are upheld.

The Managing Director will monitor the level and nature of all complaints and review the outcomes on a regular basis to ensure the effectiveness of current procedures and make changes to the policy where necessary.

Information relating to complaints, including any personal data, findings, recommendations, written records or correspondence of statements remain subject to the provisions of other legislation [e.g. the GDPR Regulation (2018), Data Protection (2011) and Freedom of Information Act (2000)]. 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 process of listening to and resolving complaints will contribute to the school's continued improvement. When individual complaints are heard, underlying concerns that need to be addressed may arise. The monitoring and review of complaints by the school and the company are a useful tool in evaluating the school's performance.

Serial and Persistent Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the school may inform them in writing that the procedure has been exhausted and that the matter is now closed. This will be done in line with the school's policy for dealing with unreasonable complaints.

The decision to stop responding to a complainant should never be taken lightly. However, a complaint may become unreasonable if the person:

- has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out



- makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

The school's case is stronger if it agrees with one or more of the following statements:

- it has reason to believe that the individual is contacting them with the intention of causing disruption or inconvenience;
- the complainant's communications are often or always abusive or aggressive; and/or
- the complainant makes insulting personal comments about or threats towards staff

The school should not stop responding because a complainant is difficult to deal with or asks complex questions. In most circumstances, it is the subject matter that does not warrant a response, not the correspondent.

This document meets the requirements of section 35 of the schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011, which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

It also refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

Contact information for the Headteacher	Elesha Lee The Annex School, Pembroke House, Leydenhatch Lane, Hextable, Swanley, Kent, BR8 7PS headteacher@theannexschool.co.uk
Contact information for the Managing Director	Jane Parish Ash House, Centre Road, New Ash Green, Kent, DA3 8JF jane@jandrcareltd.co.uk