

# **OTS COMPLAINTS PROCEDURE AND POLICY**



<b>Target Audience (s):</b>	<input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Clinical Staff <input type="checkbox"/> Non Clinical Staff <input type="checkbox"/> External suppliers or visitors <input type="checkbox"/> Regulatory / Legal bodies <input type="checkbox"/> Other (eg. Patients) <input type="checkbox"/> Teaching staff
<b>Policy Author (Subject Matter Expert):</b>	Zoe Ramshaw
<b>Policy Committee Sponsor:</b>	Peter Curtis
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## **1. Introduction**

At Orange Tree School, we want to talk with parents and carers both to promote the achievements and progress of students and also to address and resolve concerns.

Parents and carers are welcome to contact staff or visit the school informally to see work and to talk to the relevant member of staff and are also welcome to make appointments for more formal meetings. Orange Tree School has a family liaison officer that is happy to meet with any parents/carers to discuss any concerns you may have.

The staff of this school will respect the views of parents and carers and take their opinions, experiences and concerns seriously. When a concern is expressed about the work of the school it is hoped that this can be resolved as quickly and as collaboratively as possible so that parents and carers can work effectively together in the best interests of the child.

When this is not possible or not resolved, parents may wish to make a complaint, and this document sets out clearly how to do this. It has been written with reference to the DfE model 'School Complaints Procedure'.

Parents and carers are welcome to see any of the school's policies and, on request, may have a hard copy of any policy.

Please address any correspondence to the school secretary.

We look forward to working in partnership with you.

Peter Curtis  
Proprietor

## **2. Key aspects of the policy**

We hope to resolve difficulties or concerns informally whenever possible. However, at times, parents/carers will have concerns and will make complaints. Therefore, this policy has been designed to be as simple and straightforward as possible, to provide a quick and fair response to the views of parents and to respect the confidentiality of all involved.

Parents' views can help us to identify both the strengths and weaknesses in our school. We hope to improve the work of the school by responding impartially to parents concerns and complaints. We feel confident that we can work in partnership with parents in handling complaints and, in circumstances where a complaint is upheld, hope that parents will be satisfied that the school has taken appropriate steps to redress the situation.

Certain complaints fall outside the remit of this procedure, for example, staff grievances and disciplinary procedures. In these circumstances, please read this procedure together with the school's Disciplinary and Grievance Policy procedures in the school handbook and the school's Policy for Safeguarding of Young People and Safer Recruitment.

## **3. DEALING WITH CONCERNS**

If you have any concerns about your child's education at this school please contact your child's form tutor at The Orange Tree Site and your child's Key teacher at the Ridgeway Site as soon as possible. The member of staff will listen to your concern and will work with you to agree a solution and explain any course of action the school will take. They may need time to liaise with other members of staff such as the school SENCO to agree a plan of action.

It is important that you feel satisfied with the outcome of having raised the concern and in most circumstances, this will be the case. However, if you are dissatisfied with the response to your concern, please state your concern, either by telephone or in writing, to the Head Teacher/Lead Teacher. If the concern involves the Lead Teacher, please address it to the Headteacher. If the concern involved the Headteacher, please address Chairperson of the Advisory Board.

#### **4. ROLES AND RESPONSIBILITIES**

It is the responsibility of the proprietor to ensure that there is a Complaints procedure statement. The School Complaints procedure and policy will be approved by the Proprietor, Advisory Board and the Headteacher. The frequency for review of this policy is determined the proprietor.

The Headteacher will undertake policy consultation and review as required. It should be noted that -

- There is ongoing evaluation of the school's systems by the Advisory Board
- Policies are reviewed individually within the timescale stated on each document.
- Additionally, the policy is reviewed if and when new guidance is issued by the DfE.

It is the responsibility of the proprietor, Headteacher, Head of Site and staff at Ellern Mede School to ensure that all steps required within the policy are followed and adhered to.

#### **5. THE COMPLAINTS PROCEDURE**

The school's procedure for dealing with concerns and complaints is set out in the following four stages:

**Stage 1:** you express your concern for the first time either by telephone or in writing to your child's key teacher or Head of Site who tries to provide a solution that is satisfactory to you.

**Stage 2:** you make a complaint formally in writing to the Headteacher (who acts as the school's complaints co-ordinator). If your complaint concerns the Headteacher, you can write to the Chairperson of the Advisory Board.

**Stage 3:** if you remain concerned the matter may be considered by the complaints Review Panel. The outcome at this stage will be final as far as the school is concerned.

**Stage 4:** If you remain dissatisfied you are entitled to contact the Proprietor who will review the way in which your complaint has been handled with an appropriate person who is

not associated with the school as an employee, a member of the Advisory Board or as a Proprietor.

Each of these stages is now explained in more detail.

### 5.1 Stage 1 – making known your concern

- Your first point of contact is your child's Form Tutor at Orange Tree or Key Teacher at Ridgeway. Most concerns will be dealt with immediately and informally.
- Once you have expressed your concern, the member of staff will make a written note of your concern and will either deal with it **on the spot** or let you know what will be done and arrange to get back to you as soon as possible. The member or staff will check that you are satisfied with the response and will record clearly what action has been or will be taken.
- The Form Tutor/Key Teacher will check that the action has been taken and will inform you in writing of the outcome of any action taken.
- The Form Tutor/Key Teacher will ensure that your concern and any action taken is made known to all appropriate persons.
- The Form Tutor/Key Teacher will discuss with you the progress of the action (normally **within 10 working days** of having heard your concern).
- You will have the opportunity of asking to take the matter further once the action agreed following your initial concern has been carried out.
- The Form Tutor/Key Teacher may pass your concerns onto a different member of staff if they feel they are in a better position to resolve your concerns such as the SENCO, AHT or a lead teacher. In this case, the process for action will still be the same as above.
- If you remain dissatisfied with this informal response you can make a formal complaint and we will begin stage 2 or stage 3 of our complaints procedure.

## 5.2 Stage 2 – making a formal complaint

- A formal complaint should be made only if you have tried to raise a concern informally and have been dissatisfied with the outcome.
- A formal complaint should be made in writing either to the Headteacher or, if the complaint concerns the Headteacher, to the Chairperson of the Advisory Board and addressed to the school.
- The Headteacher or Chairperson of the Advisory Board will acknowledge your complaint in writing as soon as it is received. This will be within **three working days**.
- A copy of this procedure will be enclosed with the acknowledgement.
- Whenever possible we will respond in full within **ten working days** but if this is not possible we will write to you to explain the delay and let you know when we hope to make a full response.
- Your complaint will be dealt with fairly and in a friendly manner.
- You may be invited to a meeting to discuss the complaints, and you can ask someone to accompany you and assist you in this meeting. We will keep a record of what is said at this meeting.
- The Headteacher may direct another senior member of staff to oversee the complaint if deemed suitable. The Headteacher will fully oversee all complaints.
- The Headteacher, Senior staff member or the Chairperson of the Advisory Board can also be accompanied by a suitable person if they wish.
- The staff member overseeing the complaint will require as much information as possible about the complaint. They will wish to establish what has happened so far, who has been involved and what remains unresolved. They may ask you to clarify the nature of the complaint and to say what you feel would put things right and interview anyone who may have been involved.
- If we need to speak to students during the investigation of your complaint we will need to take their own needs into account and may need to do so with either a parent or carer present or with a member of staff from the school or Ellern Mede Hospital.





The time frame on this will be as quickly as possible taking into account the individual students SEN needs, health needs and school attendance.

- The Headteacher or Chairperson will keep written, signed and dated records of all meetings, telephone conversations and actions as well as any other relevant documentation.
- When all the relevant facts have been established, we will send you a written response to your complaint. This will provide a full explanation of the decision and an explanation of how this decision was made. It will explain if any actions will be taken and, if so, what these are.
- You may be invited to attend a meeting to discuss the decision and any follow up actions.
- We hope that this process will result in you feeling satisfied that your complaint has been resolved in full and that no further action is necessary, in which case the complaint will be closed.
- If the complaint is not closed, you can begin stage three of our complaints procedure.



### **5.3 Closure of Complaints**

When a complaint has been dealt with and you are satisfied with the outcome, the complaint will be closed.

In such circumstances the Chairperson may decide that everything possible has been done to resolve the complaint and that it would not help matters to arrange a Complaints Review Panel. When this is the case, the complaint will be closed, and you would not be able to begin Stage 3 of the procedure.

However, you would be entitled to refer your complaint to the Proprietor (Stage 4) to review the way in which your complaint has been handled.

#### **5.4 Stage 3 – the Complaints Review Panel**

- This is the final school-based stage of our complaint's procedure.
- If you have had a complaint investigated at stage 2 and remain dissatisfied with the outcome you can ask for your complaint to be considered by a complaints review panel.
- The Chairperson of the Advisory Board will decide whether this stage will be helpful in resolving your complaint.
- A complaints review panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. The panel consists of members of the Advisory Panel, and at least one independent member who is not part of the school management and/or the running of the school, and who have no prior knowledge about the details of your complaint and who will consider it in a formal but friendly way with an open mind and without prejudice.
- They will elect a chairperson for the panel. (who may or may not be the existing Chair of the Advisory Panel).
- The purpose of a complaints review panel is to resolve the complaint and to achieve reconciliation between the parent or carer and the school.
- This may not always be possible, but it is hoped that a Complaints Review Panel will establish the facts, make recommendations and reassure you that your complaint has been taken seriously.

### 5.5 The procedure for the complaints review panel is outlined below:

- The school secretary will arrange the date for the panel meeting, and this should be within **twenty working days**. The school secretary will inform you if there is a delay and explain why it has occurred.
- The school secretary will ask you whether you wish to provide any further written information or documentation to support your complaint. You can include statements from witnesses or invite witnesses to give evidence in person if you wish.
- The Headteacher will prepare a written report for the panel.
- Other people who have been involved in the complaint may be asked to provide written reports for the panel.
- The school secretary will inform you, panel members, the Headteacher and anyone else who is to attend the meeting, by letter, **at least 5 working days** in advance, of the date, time and place of the meeting.
- With this letter the school secretary will send you all the written documents concerned with your complaint and will ask you whether there is any further written evidence you wish to submit to the panel.
- The letter will explain what will happen at the panel meeting.
- You are entitled to be accompanied at the meeting by anyone you feel will support you in making your complaint. This person, who should not be directly connected to the school, can witness the proceedings and speak on your behalf if you wish them to do so.
- With the agreement of the chair of the panel, the Headteacher can invite to the meeting members of staff directly involved in the complaint.
- Complaints Review Panels will take place in the main school building at Orange Tree, the school building at the Ridgeway Site or in the Ellern Mede Hospital (where appropriate).
- The room will be laid out informally and, although Stage 3 is a formal procedure the chair of the panel will be welcoming and try to put you at your ease.

- Usually, no new evidence or witnesses will be introduced by you or the school at this stage of the complaint's procedure. If either party wishes to introduce new evidence or witnesses, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new information.
- The chair of the panel will ensure that the meeting is properly recorded. Since such minutes may name individuals, they are of a sensitive and confidential nature. Therefore, you will not have an automatic right to receive a copy of the minutes of the meeting.
- If you would like to receive a copy of the minutes, it would be helpful if you would request this from the panel in advance. The panel has the discretion to allow you to see the minutes. If the panel is unhappy for you to see the minutes, the school secretary will be asked to maintain confidentiality of the minutes.
- You, and the person complained about, will be sent a written outcome of the panel meeting and this should provide you all the information you require.
- The Panel, through the Headteacher, will keep a record of all complaints to be available for inspection on the school premises. The record will show whether they are resolved at the preliminary stage or proceed to a Panel hearing.
- All 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 162A of the 2002 Act requests access to them.
- During the meeting there will be opportunities for you to:
  - Explain your complaint
  - Hear the school's response from the Headteacher and/or Senior Member of Staff
  - Question the Head Teacher and/or Senior Member of Staff about your complaint
  - Be questioned by the panel
  - Hear the Head Teacher and/or Senior Member of Staff being questioned by the panel



Subject to the pre-approval of the chairperson, you and other parties will be able to call witnesses, ask witnesses questions and hear witnesses questioned by other parties present. You and the Head Teacher/Senior Member of Staff will each be asked to make a final statement.

- All interactions must be respectful and professional. If at any time, this is not adhered to, anyone in the meeting may request the meeting to be stopped.
- In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Head teacher within **two weeks**. All participants other than the panel and the school secretary will then leave.
- The panel will then consider the complaint and all the evidence that has been presented in order to:
  - Reach a unanimous, or at least a majority decision on the complaint;
  - Decide on the appropriate action to be taken to resolve the complaint;
  - Where appropriate, recommend changes to the school's systems and procedures to ensure that a similar problem does not occur again in the future.
- **Within two weeks** the school secretary will send you and the Headteacher a written statement that outlines the decision of the panel. This letter will explain that you are entitled to have the handling of your complaint reviewed by the school's Proprietor (Stage 4). However, we hope that having had your complaint dealt with by the complaints review panel, you will be satisfied and that the matter is resolved.
- We will keep and file copies of all correspondence and documents in the school's complaints record which is separate from students' personal records.

## 5.6 Stage 4 – reviewing the handling of your complaint

- If you remain dissatisfied, you are entitled to contact the school's proprietor.
- The proprietor of the school can review the way in which your complaint has been handled together with an appropriate person who is not associated with the school as an employee, member of the Advisory Board or member of the Review panel.
- The review consists of an examination of the correspondence connected with the complaint and consideration of any statement from a member of the Complaints Review Panel, Advisory Panel and Headteacher about the way the complaint has been handled.
- The purpose of the review is to establish whether the Complaints Review Panel, Advisory Panel and the Headteacher have followed the school's complaints procedure and whether they have acted reasonably.
- The Proprietor will inform you and the school, in writing, of the outcome of the review within ten working days. If this is not possible you will be informed, and you will be given an explanation for the delay.
- The letter will state the view of Proprietor regarding the way in which your complaint was handled and, if appropriate, will make recommendations to you and the school regarding a way forward.
- You have no further course of action, following stage 4 of the complaint's procedure, other than to complain to a body external to the school, further details in relation to this can be found at [www.gov.uk/complain-about-school/private-schools](http://www.gov.uk/complain-about-school/private-schools)

For further advice you can also contact Ofsted whose contact details are listed below.

## **Appendix A**

### **The Role of the Chair of the Complaints Review Panel**

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and carers and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open-minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

(School Complaints Procedures, DfES Model Policy)



## **Appendix B**

### **Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- The Hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The head teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

(School Complaints Procedures, DfES Model Policy)



## Appendix C

### Orange Tree School Contact List

#### Team

Zoe Ramshaw	Headteacher	Orange Tree School <a href="mailto:Zoe.ramshaw@ellernmede.org">Zoe.ramshaw@ellernmede.org</a>
Barbara Maleki	Lead Teacher (Ridgeway)	Orange Tree School - Ridgeway <a href="mailto:Barbara.maleki@ellernmede.org">Barbara.maleki@ellernmede.org</a>
Hayley Hunter	Senior Assistant Headteacher (Orange Tree Site)	Orange Tree School <a href="mailto:Hayley.hunter@orangetreeschool.org">Hayley.hunter@orangetreeschool.org</a>
Helen Carmel	School Business Manager and HR	Orange Tree School <a href="mailto:Helen.carmel@orangetreeschool.org">Helen.carmel@orangetreeschool.org</a>
Diana Tcaciuc	School Administration Manager	Orange Tree School – Ridgeway <a href="mailto:Diana.tcaciuc@ellernmede.org">Diana.tcaciuc@ellernmede.org</a>
Peter Curtis	Proprietor	Orange Tree School Oakleigh Park North N20 9AR Tel 02089597774 Fax: 02089596311 <a href="mailto:peter.curtis@ellernmede.org">peter.curtis@ellernmede.org</a>

## Appendix D

### Advisory Panel

<b>Peter Curtis</b>	<b>Proprietor - Chairperson</b>	Orange Tree School, Oakleigh Park North, N20 9AR Tel 02089597774 Fax: 02089596311 peter.curtis@ellernmede.org
<b>Nancy Maicoo</b>	<b>Managing Hospital Director</b>	Ellern Mede Centre, Holcombe Hill, The Ridgeway, Mill Hill. London NW7 4HX Tel 02089597774 Fax: 02089596311 <a href="mailto:nancy.maicoo@ellernmede.org">nancy.maicoo@ellernmede.org</a>
<b>Elizabeth Curtis</b>	<b>Member</b>	<a href="mailto:lizzyb92@sky.com">lizzyb92@sky.com</a>
<b>Robert Stafler</b>	<b>Member</b>	<a href="mailto:robert.stafler@excellioncapital.com">robert.stafler@excellioncapital.com</a>
<b>Zoe Ramshaw</b>	<b>Headteacher</b>	Orange Tree School Oakleigh Park North, N20 9AR Tel 02089597774 Fax: 02089596311 Zoe.ramshaw@ellernmede.org

### Ofsted

1. Email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).
2. Contact form <https://contact.ofsted.gov.uk>



3. General enquiries 0300 123 1231.
4. About schools 0300 123 4234.
5. About concerns 0300 123 4666.
6. Fax 0300 123 3159.