

# **OTS**

## **COMPLAINTS PROCEDURE AND POLICY**

Independent School Standards: paragraphs 32(3), 33 and 34



|   |  |
|---|--|
| <b>Target Audience (s):</b>                   | <input checked="" type="checkbox"/> All Staff<br><input type="checkbox"/> Clinical Staff<br><input type="checkbox"/> Non Clinical Staff<br><input type="checkbox"/> External suppliers or visitors<br><input type="checkbox"/> Regulatory / Legal bodies<br><input type="checkbox"/> Other (eg. Patients)<br><input type="checkbox"/> Teaching staff |
| <b>Policy Author (Subject Matter Expert):</b> | Zoe Ramshaw  |
| <b>Policy Committee Sponsor:</b>              | Peter Curtis   |
| <b>Frequency of review:</b>                   | 1 year   |
| <b>Last review date:</b>                      | <del>13/01/2025</del> 26/03/2025   |
| <b>Next Scheduled Review:</b>                 | 26/03/2026   |



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- **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

- **Key aspects of the policy**

Orange Tree School provide a high-quality therapeutic education, and we consistently aim to build positive and trusting relationships with all our families. However, we acknowledge that sometimes parents and carers may become aware of matters which cause them concern and the school encourage open communication to address these concerns. Throughout the process we will remain fair and professional and request the same from parents/carers. Staff will not accept aggressive communication and reserve the right to postpone any meetings where they are subjected to unacceptable conduct.

We will:

- Aim to be fair, open and honest when dealing with any complaints.
- Consider all complaints and deal with them fairly and as quickly as possible.
- Aim to resolve any complaint informally by listening and understanding and working together in the interests of the pupil.
- Keep written records of all complaints including the stage at which they were resolved, and all correspondence, statements and records of complaints will be kept confidential.
- Decide if we need to involve the Local Authority or inform them.
- Aim to resolve problems by informal means (before or at stage one of the procedure).
- Ensure that the schools' attitude to a pupil would never be affected by a complaint.
- Always discourage anonymous, serial, repetitive, unreasonable and/or vexatious complaints.
- Make sure that all staff involved have opportunities to discuss and understand the concerns and complaints made by families or other persons and ensure that any person complained against has equal rights and consideration as the person making the complaint.
- Only use this complaints procedure for the parents and carers of pupils currently enrolled at Orange Tree School.

- **DEALING WITH CONCERNS**

## COMPLAINTS PROCEDURE

If you are a parent or carer of a pupil currently placed at Orange Tree School and have a concern or a complaint you wish to raise, it is your right to do so, as per the following procedure.

## **STAGE 1 SHARING YOUR CONCERN INFORMALLY**

- If you are concerned about anything at Orange Tree School you should, in the first instance, discuss the matter with your child's form tutor or family liaison officer at the main Orange Tree Site or your child's key teacher if they attend the Ridgeway Site. Most matters of concern can be resolved at this point.
- It is helpful if you are able to say what outcome you are looking for at this point.
- Once you have expressed your concern, the member of staff will record your concern if not in an email and respond as soon as possible but within three working days.
- If possible, they 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. It may be necessary to pass this concern onto another member of staff such as a head of subject or the SENCo if more appropriate.
- You will be informed if the concern has been passed to another member of staff.
- We always want to know if there is a concern or problem, so that we can act before it seriously affects the pupil's welfare and/or progress.
- After receiving the concern, we will take it seriously and act as promptly as we can. You will receive an initial response within 3 working days.
- We ask you to allow time for any action we may take to be effective.
- We will inform you of any steps we have taken to resolve your concerns.

## **STAGE 2**

### **MAKING A FORMAL COMPLAINT TO THE SENIOR ASSISTANT HEADTEACHER**

- If you are still unhappy, please raise your concern with the Senior Assistant Headteacher at the Orange Tree Site or the Lead Teacher at the Ridgeway Site in an email by sending it to [reception@orangetreeschool.org](mailto:reception@orangetreeschool.org).
- If the complaint is about the Senior Assistant Headteacher or lead teacher, then the complaint should go straight to the Headteacher.
- If the complaint concerns the Headteacher, then the complaint should be directed directly to the chairperson of the advisory board.
- Please give as much information as possible of your concern with any dates that are relevant. It may be useful to complete the complaints form (at the end of this document) at this point but not essential. It is helpful if you can say what outcome you would like from the complaint.
- After your email has been received, you will receive an initial response within 3 working days. This email will outline next steps and the initial proposed actions or request for further information. You may therefore have to wait a short time while further investigations are carried out.

- 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 considering the individual students SEN needs, health needs and school attendance.
- Every effort will be made to resolve the situation as quickly as possible; you will be kept updated and will receive a further written response within the following seven 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.
- We hope that the concern will now be resolved.

### **STAGE 3 MAKING A FORMAL COMPLAINT TO THE HEADTEACHER**

- Only if the complaint is still unresolved should a formal complaint be made to the Headteacher.
- This complaint should be made in writing, stating the nature of the complaint and how it has been handled so far at stages 1 and 2. Please also state what outcome you would like at the end.
- You should send this written complaint via email for the Headteachers attention to [reception@orangetreeschool.org](mailto:reception@orangetreeschool.org). The headteacher may offer a meeting if this is likely to be useful and helpful but not in every case.
- Every effort will be made to resolve the situation as quickly as possible; you will be kept updated and will be sent a written response within 10 working days. If an extension to this is needed, you will receive an email with an expected timeframe pending required investigation or further actions.
- 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 considering the individual students SEN needs, health needs and school attendance.

### **STAGE 4 COMPLAINTS PANEL HEARING**

- If the complaint has regrettably still not been resolved at stages 1, 2 and 3 you may ask for your complaint to be heard by our complaints panel, which will include three people who were not directly involved in the matters detailed in the complaint.

- The panel will consist 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.
- The complaints panel will consider all written complaints within twenty working days of receipt. The panel will arrange a meeting to discuss the complaint, and will invite you to attend the meeting, so that the complaint can be explained in more detail.
- 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.
- The school will always give the complainant at least five days' notice of the meeting.
- After hearing all the evidence, the complaints panel will consider their decision and inform the complainant, and where relevant the person complained about, about their key findings and recommendations.
- 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 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.
- You are not permitted to record the meeting with any electronic devices without explicit permission from the chair of the meeting.
- 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.
- You will receive an outcome of the findings in writing within five working days.
- The complaints panel will do all they can at this stage to resolve the complaint to the complainant's satisfaction. Their overall decision, findings and recommendations will be final.
- If the complaint becomes reoccurring after it has been closed, it will be treated as a vexatious complaint.

When a complaint has been dealt with and you are satisfied with the outcome, the complaint will be closed at the stage in which it was dealt with.

- **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, Lead teachers and staff at Orange Tree School to ensure that all steps required within the policy are followed and adhered to.

- **SUMMARY OF TIMESCALES**

| Stage | Description  | Response   |
|-------|--|--|
| 1     | <b>SHARING YOUR CONCERN INFORMALLY</b> An email or a discussion with a relevant member of staff, e.g. teacher, family liaison officer or SENCO | As soon as possible. Initial response within 3 working days.   |
| 2     | <b>MAKING A FORMAL COMPLAINT</b><br><br>To the Senior Assistant Headteacher<br><br>A meeting and/or written complaint                          | As soon as possible. Initial response within 3 working days.<br><br>Full response within 7 further working days. |

|   |   |   |
|---|---|---|
| 3 | <b>MAKING A FORMAL COMPLAINT</b> to the Headteacher   | As soon as possible. Initial response within 3 working days.<br><br>Full response within 10 further working days.   |
| 4 | <b>ASKING FOR YOUR FORMAL COMPLAINT TO BE CONSIDERED/REVIEWED BY OUR COMPLAINTS PANEL</b><br><br>Attendance at a complaints panel hearing | Hearing arranged within 20 working days, providing the complainant with five school days' notice.<br><br>Findings and recommendations sent within five school days of the hearing |

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.

- **UNREASONABLE, SERIAL AND/OR VEXATIOUS COMPLAINTS**

An unreasonable, serial or vexatious complaint is one that:

- Is repetitious and lacks substantive new information.
- Contains unsubstantiated allegations or inflammatory language.
- Seeks to disrupt, consume time or harass rather than resolve a genuine issue.
- Is used to deflect from other issues that have been raised or identified.
- Often pursues unfounded complaints and/or unrealistic outcomes beyond all reason.

### **How we determine when a complaint is unreasonable, serial or vexatious**

When does a complaint become vexatious?

A complaint may be deemed persistent, serial or vexatious if the complainant:

- Attempts to re-open an issue that has already been addressed and resolved through the school's complaints procedures.
- Continues to challenge the school's response despite being provided with a clear position and explanation of next steps.
- Communicates in a manner that is abusive, aggressive or involves personal feelings, attacks or threats towards staff members.
- Shows intent to cause disruption through repeated contact or unreasonable demands.

We are committed to dealing with all complaints fairly and impartially and will not ordinarily limit the contact complainants have with our school. However, we do not expect any of our staff to tolerate unreasonable behaviour and will take action to protect staff from such behaviour, including that which is abusive, offensive and/or threatening or personal accusations.

If any complaint is about a member of staff, we will restrict contact between the complainant and the member of staff complained about and ask you not to contact them or request a meeting.

We define 'unreasonable' behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as (these examples are not exhaustive), if the complainant:

- is rude, aggressive or intimidating either via email or in person
- refuses to follow the complaints procedures set out in the policy.
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- makes unreasonable requests
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure
- introduces trivial or irrelevant information which they expect to be considered and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds

- repeatedly makes the same or similar complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the schools' complaint procedure has been fully and properly implemented and completed
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and/or complicated contact with staff regarding the complaint in person, in writing, by email (e.g. the sending of multiple emails, including from different email addresses and outside of school hours) and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable or untruthful information on social media or other public forums.
- involves other parents to strengthen and intimate the process.

Complainants should try to limit their communication while the complaint is being progressed and where necessary correspondence should be within school hours. It is unhelpful if repeated correspondence is sent, as it could delay the outcome being reached and can cause unnecessary stress to school staff. Complainants should not send emails to multiple staff about the same issue and will have a main contact.

Whenever possible, the relevant leader will highlight that the behaviour is being deemed as unreasonable with the complainant informally before applying an 'unreasonable' marking.

If the behaviour then continues, the relevant leader will write to the complainant explaining that their behaviour is unreasonable, why it is deemed unreasonable and expectations going forwards.

For complainants making excessive contact and therefore causing a significant level of disruption or stress, we may specify methods and times of communication and limit the number of contacts in a communication plan.

In response to any serious incident of aggression or violence, we will inform the police and communicate our actions in writing. This may include barring an individual from visiting and/or contacting our schools.



**If a complaint is deemed as unreasonable, serial and/or vexatious, the complaint will be closed. If the same complaint is reopened, the school will not reinvestigate if the policy has already been fully exhausted.**

## **7. RECORDS OF COMPLAINTS**

All complaints are recorded on the relevant school's complaints log.

The detail of the complaint is recorded, any emails or evidence received, any subsequent correspondence and the stage of resolution.

Any actions taken as a result of a complaint (regardless of whether the complaint has been upheld or not) are also recorded on this log.

We confidentially retain all correspondence, statements and records relating to formal complaints for a minimum of seven years.

This information is accessible only to proprietors, senior leaders and inspectors.

All records (including those relating to formal complaints) concerning safeguarding concerns and/or allegations of abuse are preserved in line with the 'retention of records' guidance in our data protection policy.

## 8. COMPLAINTS FORM

Please email this completed form to [reception@orangetreeschool.org](mailto:reception@orangetreeschool.org)

|  |       |
|--|-------|
| Pupils full Name and Date of Birth:  | Date: |
| Your full name and relationship to the child:  |       |
| Which site does your child attend?   |       |
| Orange Tree/Ridgeway   |       |
| Your address:  |       |
| Your email address and contact number:   |       |
| Please give full details of your complaint. It is helpful if you can use any specific dates:                                     |       |
| What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response)? |       |
| What actions do you feel might resolve the problem at this stage? What outcome would you like to see?                            |       |
| Are you attaching any paperwork? If so, please give details.   |       |
| Signature:   |       |

## Orange Tree School Contact List

### Team

|                |  |   |
|----------------|--|---|
| Zoe Ramshaw    | Headteacher  | Orange Tree School<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>  |
| Barbara Maleki | Lead Teacher<br>(Ridgeway)                         | Orange Tree School - Ridgeway<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>   |
| Hayley Hunter  | Senior Assistant Headteacher<br>(Orange Tree Site) | Orange Tree School<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>  |
| Helen Carmel   | School Business Manager and HR                     | Orange Tree School<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>  |
| Diana Tcaciuc  | School Administration Manager                      | Orange Tree School – Ridgeway<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>   |
| Peter Curtis   | Proprietor/Chair to Advisory<br>Board              | Orange Tree School<br>Oakleigh Park North<br>N20 9AR<br>Tel 02089597774<br>Fax: 02089596311<br><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,<br>Oakleigh Park North, N20 9AR<br>Tel 02089597774<br>Fax: 02089596311<br><a href="mailto:peter.curtis@ellernmede.org">peter.curtis@ellernmede.org</a>                           |
| <b>Nancy Maicoo</b>     | <b>Managing Hospital Director</b> | Ellern Mede Centre, Holcombe Hill,<br>OTS Ridgeway, Mill Hill. London NW7 4HX<br>Tel 02089597774<br>Fax: 02089596311<br><a href="mailto:nancy.maicoo@ellernmede.org">nancy.maicoo@ellernmede.org</a> |
| <b>Elizabeth Curtis</b> | <b>Board Member</b>               | <a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>   |
| <b>Robert Stafler</b>   | <b>Board Member</b>               | <a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>   |
| <b>Zoe Ramshaw</b>      | <b>Headteacher</b>                | Orange Tree School<br>Oakleigh Park North, N20 9AR<br>Tel 02089597774<br>Fax: 02089596311<br><a href="mailto:reception@orangetreeschool.org">reception@orangetreeschool.org</a>                      |

## Ofsted

1. Email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).
2. Contact form <https://contact.ofsted...>
3. General enquiries 0300 123 1231.
4. About schools 0300 123 4234.
5. About concerns 0300 123 4666.
6. Fax 0300 123 3159.