Our Rock Academy

Complaints Policy

" A nurturing, ambitious and inclusive school where every child feels known, valued and connected."

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Purpose

The purpose of this policy is to set out the procedure by which any person can make a complaint to Our Rock Academy.

Our school is committed to providing the very best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We strive for excellence and have a culture of continual learning, but we acknowledge that sometimes things may go wrong. We aim to resolve concerns and complaints in an informal manner if possible but should a concern or complaint remain unresolved, parents, carers or members of the public have additional steps that can be taken to resolve the issue as set out here.

Aims

We encourage the resolution of concerns and complaints by informal means and will ensure that concerns are dealt with quickly, fully and fairly within time limits wherever possible. By providing effective and appropriate responses Our Rock Academy endeavours to maintain good relationships with all involved.

The policy is designed to be:

- Accessible – available on the website and on request from the school office, we are also happy to explain the process if needed
- Clear and jargon free, with a process and timescales. If for any reason we are unable to meet a timescale this will be communicated to you. There is also clarity on roles and responsibilities of those involved in the process.
- Impartial – someone who is not involved directly involved will investigate the complain and, at Stage 3, the complaint will be considered by an impartial Complaints Panel.

All correspondence, statements and records relating to complaints will be kept confidential except where disclosure is required by the Secretary of State, an inspectorate or another lawful authority.

The Proprietor will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. This complaints procedure may also be used by members of the public in relation to services or facilities provided by the school. Where a separate legal process applies, we will explain that process to the complainant. Complaints about how the school applied its Behaviour Policy, including a suspension or exclusion, can be made through this procedure. No charge will be made for making a complaint under this procedure.

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 complaints procedure. Our Rock Academy 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, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you 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, Our Rock Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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 of a complainant, as long as they have appropriate consent to do so.

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

Complainants should not approach the Proprietor 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 Headteacher) should be made in the first instance, to the Headteacher via the school office**.** Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Proprietor, via the school office. Please mark them as Private and Confidential.

Complaints about the Proprietor should be addressed via the school office and marked 'Private and Confidential'. These complaints will be considered by a Complaints Panel appointed for this purpose.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. 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.

Anonymous complaints

Anonymous complaints will not be routinely investigated; however, the Headteacher or Proprietor will review each case to determine if an investigation is warranted based on the seriousness of the issue and available information.

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 only consider complaints made outside of this time frame if exceptional circumstances apply.

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.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Our Rock Academy, 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.
● Exclusion of children from school	The school's Behaviour Policy sets out its approach to suspension and exclusion. Complaints about the application of the Behaviour Policy may be made through the school's complaints procedure
● Whistleblowing	The school has an internal whistleblowing procedure for employees, temporary staff and contractors. Concerns may be raised directly with the Headteacher or Proprietor where appropriate.
● Staff grievances	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, where appropriate. Complainants will not normally be

	informed of any disciplinary action taken against a staff member as a result of a complaint. However, they will be notified that the matter has been addressed.
● Complaints about services provided by other providers who may use school premises or facilities	External providers using the school's premises or facilities should have their own complaints procedures. Complaints about these services should be directed to the provider concerned.
● National Curriculum - content	Questions or concerns relating to the school's curriculum should be raised with the Headteacher in the first instance. Independent schools are not required to follow the Department for Education National Curriculum, although they must provide a broad and balanced curriculum in line with the Independent School Standards.

Complaints about how the school uses personal information may be made through this procedure and will be referred to the school's Data Protection Officer. They will be acknowledged within 30 calendar days, investigated without undue delay, and the complainant will be kept informed and told the outcome.

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 Our Rock Academy 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.

Resolving complaints

At each stage in the procedure, Our Rock Academy 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.

Withdrawal of a Complaint

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

Stage 1

Informal stage

1 Please raise your concern or complaint in the first instance with your child's Class Teacher or Key Stage Lead via the school office. If the concern relates to SEND provision, therapy support, behaviour support, pastoral support or inclusion, please contact the SENDCo, Therapy Lead or Inclusion Lead via the school office.

2 The appropriate member of staff will respond by telephone or email and may arrange a meeting where further discussion is needed. Parents and carers are also welcome to request a meeting at any stage of the process.

3 The school will keep a brief written record of the concerns raised, any discussions held and any actions agreed in order to support effective communication and resolution.

Stage 2

If the concern has not been resolved through the informal stage, a formal complaint may be made in writing to the Headteacher via the school office. Complaints may also be submitted by email or by using the school's complaint form.

The Headteacher (or an appropriately appointed senior member of staff acting on behalf of the Headteacher) will acknowledge receipt of the complaint within 3 school days.

The school will seek to clarify:

- the nature of the complaint
- the outcome being sought
- whether there is an opportunity for early resolution.

The investigator may:

- speak with those involved in the complaint
- review relevant records and documentation
- arrange meetings where appropriate
- keep written records of discussions and findings.

The school will aim to provide a formal written response within 20 school days of receiving the complaint. Where additional time is required to complete the investigation, the complainant will be informed of the reason for the delay and provided with a revised timescale.

The written response will include:

- the findings of the investigation
- the decision reached
- the reasons for the decision
- any actions the school has taken or proposes to take
- details of how to escalate the complaint to Stage 3 if the complainant remains dissatisfied.

Complaints about the Headteacher should be addressed to the Proprietor via the school office and marked “Private and Confidential”. In such cases, the Proprietor or an appropriately appointed independent investigator will carry out the Stage 2 investigation.

Complaints about the Proprietor will be considered directly at Stage 3 by a Complaints Panel appointed for this purpose.

Stage 3

4 If the complainant remains dissatisfied following the outcome of Stage 2, they may request that the complaint be considered by a Complaints Panel. This is the final stage of the school’s complaints procedure.

5 A request to escalate the complaint to Stage 3 must be made in writing to the school office within 10 school days of receipt of the Stage 2 response.

6 The school will acknowledge receipt of the request within 3 school days.

7 The Complaints Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member will be independent of the management and running of the school.

8 The panel will consider the complaint and all written evidence presented. The complainant may attend the panel hearing and may be accompanied by a friend, relative or supporter.

The panel will:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- recommend appropriate actions to resolve the complaint
- where appropriate, recommend changes to school procedures or systems to help prevent similar issues in the future.

The panel will make findings and recommendations and provide these in writing to the complainant, and where relevant, the person complained about, within 5 school days of the hearing.

The school will maintain a written record of all formal complaints, whether resolved at Stage 2 or proceeding to a panel hearing, and record any actions taken by the school as a result of the complaint, regardless of outcome.

A copy of the panel’s findings and recommendations will be available for inspection on the school premises by the Proprietor and Headteacher.

If the complainant remains dissatisfied following completion of the school’s complaints procedure, they may refer the matter to the Department for Education, which has responsibility for considering complaints about independent schools.

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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Our Rock Academy. They will consider whether Our Rock Academy 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: Contact the Department for Education - Contact type - GOV.UK

Complaint Campaigns

If we believe the complaint raised to be part of a campaign, which may also include complaints from people with no link to the school, the school reserves the right to respond with a standard response.

Complaint Form

Please complete and return to Headteacher or Proprietor via the school office who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **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.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Roles and Responsibilities

Complainant

The complainant should:

- explain the complaint clearly and fully at the earliest opportunity
- co-operate with the school during the investigation process
- respond promptly to requests for information or meetings
- treat all those involved in the complaint with respect
- avoid publishing details of the complaint on social media whilst the complaint is being considered.

Investigator

The investigator may be the Headteacher, Proprietor or another appropriately appointed senior member of staff.

The investigator will:

- establish the facts relevant to the complaint
- speak with those involved where appropriate
- review relevant records and information
- keep appropriate written records
- provide a fair, impartial and thorough investigation.
- The investigator will prepare a written outcome explaining:
- the findings of the investigation
- whether the complaint is upheld in whole or in part
- any actions the school will take.

Complaints Administrator

The Complaints Administrator (normally the school office or an appointed member of staff) will:

- acknowledge complaints
- coordinate meetings and hearings
- maintain records relating to complaints
- circulate relevant documentation
- communicate outcomes to complainants.

Complaints Panel Chair

The Chair of the Complaints Panel will ensure that:

- the hearing is conducted fairly and impartially
- all parties are treated with respect and courtesy
- all relevant evidence is considered
- panel members have had no prior involvement in the complaint
- the complainant has the opportunity to present their complaint
- accurate records are maintained.

Complaints Panel Members

Panel members will:

- act independently and impartially
- consider all available evidence fairly
- seek to resolve the complaint where possible
- maintain confidentiality throughout the process
- make decisions based on the evidence presented.

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 and careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The complaints panel 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 complaints panel 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 complaints panel 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 complaints panel considers is not in the child/young person's best interests.

The welfare of the child/young person is paramount.

Next Steps

If the complainant believes the school has not handled their complaint in accordance with this published procedure, or has acted unlawfully or unreasonably, they may contact the Department for Education after completion of the school's complaints process.

The Department for Education will not normally reinvestigate the substance of the complaint or overturn decisions made by the school. However, it will consider whether the school has complied with the Independent School Standards and followed its published procedures.

Department for Education contact details can be found at: https://www.education.gov.uk/contactus

Policy for Managing Serial and Unreasonable Complaints (or Contact)

This policy applies to all contacts (in person, by telephone, email, social media, third-party representatives and public forums) from parents, carers, members of the public or other stakeholders that relate to complaints, concerns, enquiries or repeated matters about the school. It applies to contacts about historic and current matters. Where relevant, it applies to staff and the proprietors reasonable correspondence with each other when contact becomes serial or unreasonable.

Our Rock Academy is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Our Rock Academy defines 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, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account 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 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 school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email 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 information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Proprietor will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Our Rock Academy causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Our Rock Academy.

Serial and Unreasonable Contact

Our Rock Academy also reserves the right to apply this policy to people who persist in making serial and unreasonable contact with the school even when it may not be related to a formal complaint. For example, if multiple different queries, concerns or issues are raised within a short period or over a sustained period of time [or if abusive, offensive or discriminatory language is used against staff]. The criteria for assessment will remain as above.

Restriction from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

Schools can bar someone from the premises if they feel that their aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It's enough for a member of staff or a pupil to feel threatened.

If an adult's behaviour is a cause for concern, a school can ask him/her to leave school premises (barring). In serious cases, the Headteacher, or Proprietor can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the person may wish to make. Our Rock Academy will give the person the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the person, and either confirmed or lifted. If the decision is confirmed the person will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Proprietor. However, complaints about barring cannot be escalated to the Department for

Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Definitions

- **Serial/unreasonable contact:** repeated contact raising the same or similar matters that hinder the school's ability to consider the issue, create disproportionate workload, or use abusive or threatening behaviour.

- **Communication plan:** a formally agreed, written plan between the school and the individual specifying the single named point of contact, permitted methods and times for contact, maximum number of contacts per week/month and expected behaviour standards. A copy will be shared with the individual, and recorded on the complaint file.

- **Bar (temporary or permanent):** a written notice revoking the individual's implied permission to enter school premises for a stated period (pending representations or indefinitely if confirmed).