

ABBAY SCHOOL FOR EXCEPTIONAL CHILDREN

COMPLIMENTS AND COMPLAINTS POLICY



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1. Aims

Abbey School aims to provide the highest standard of service to its pupils and parents, however we believe that stakeholders are entitled to a voice and encourage feedback to enable us to evaluate our service and continually improve.

The purpose of this policy is to provide clarity on the procedure which the school will follow upon receipt of compliments or complaints.

When receiving and responding to compliments and complaints we aim to:

- Provide an accessible, transparent, simple framework for listening to and responding to all feedback and complaints
- Review and evaluate all compliments and complaints in order to strive towards the highest standards and improve our services
- Take all concerns and complaints seriously and with impartiality
- Consider all concerns and complaints initially on an informal basis and endeavour to resolve issues without the need for formal procedures
- Facilitate a full and fair investigation by an independent panel, where necessary
- Provide an effective and prompt response with respect and courtesy
- Keep complainants informed of the progress during the process
- Keep a written record of all complaints, the action taken and at what stage they were resolved
- Respect confidentiality except where Ofsted requests access to records during an inspection

2. Legislation and guidance

This document meets the requirements set out in the:

[Data Protection Act 2018](#)

[UK General Data Protection Regulation \(GDPR\)](#)

[Education \(Independent School Standards\) Regulations 2014, Part 7](#) which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

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”).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school’s fulfilment of Early Years Foundation Stage requirements.

3. Purpose and scope

Abbey School strives to operate to the highest standards. We welcome feedback from individuals and organisations that we work with, including parents and carers of children and young people at Abbey School, and from our neighbours in the local community. Such feedback is invaluable in helping us to evaluate and improve our work.

Abbey School has a single Compliments and Complaints Policy covering all of its activities and services.

This policy does not relate to situations where Abbey School employees have a complaint or grievance. In these circumstances, individuals should follow the internal grievance procedure as outlined in the staff handbook.

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Those who wish to make a complaint are expected to follow the procedure outlined in this policy.

The overall objectives of the Compliments and Complaints Policy are to:

- ensure everyone knows how to provide feedback and specifically how a complaint will be handled;
- ensure that complaints are dealt with consistently, fairly and within clear timeframes;
- ensure that feedback is monitored and used to improve our services and celebrate successes.

The Compliments and Complaints Policy will:

- encourage resolution of concerns by informal means where appropriate;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial and non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of progress;
- respect confidentiality and data protection;
- provide information to Abbey School's Proprietor, Advisory Body and Senior Leadership Team so that services can be improved.

4. Who is involved in the process?

The Complaints Officer - An individual will be appointed to look into the complaint and establish the facts. They will:

- Not be the subject of the complaint
- Keep a written record and any written evidence of the complaint and the investigation
- Interview all relevant parties, keeping notes
- Prepare a comprehensive report to the Principal or Complaints Committee, which includes the facts and potential solutions

If a complaint concerns the Principal, the Proprietor will manage the complaints process.

If a complaint concerns the Proprietor, the Chair of the Advisory Body will manage the complaints process.

If a complaint concerns the Chair of the Advisory Body, the Proprietor will manage the complaints process.

If the complaint concerns a member of the school's Advisory Body, the Chair of the Advisory Body will manage the complaints process.

Compliments and complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation. All anonymous complaints will be directed to the Complaints Officer.

5. Compliments process

It is the responsibility of all Abbey School staff to record verbal or written compliments in the Central Record of Compliments. Managers are responsible for ensuring that staff named within a compliment are informed and thanked. Feedback on compliments will be shared with the Staff Council and staff at regular intervals.

6. The three-stage complaints procedure

There are three stages to Abbey School's complaints process:

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- **Stage One** Informal resolution
- **Stage Two** Marking a formal complaint
- **Stage Three** Requesting an independent review

6.1. Stage 1 – Informal Resolution

- The school will take informal concerns seriously and aim to resolve the matter quickly. It may be the case that an apology, an undertaking to review procedures or 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 Principal as appropriate, either in person or by letter, email or telephone so they have every opportunity to resolve the matter quickly and effectively. They should contact the school office if they are unclear who to contact or how, by emailing office@abbeyschool.com or by calling 01244 960000.
- Any concern regarding safeguarding or learner welfare must be immediately reported to the Designated Safeguarding Lead who is the Principal of Abbey School
- If the complaint involves financial loss or the risk of compensation, the matter may be passed to Abbey School's insurers who may communicate directly with the complainant
- The school will acknowledge informal complaints within five school days, and investigate and provide a response within fifteen working days.
- If the complaint is not resolved informally, it will be escalated to a formal complaint (see Stage 2).

6.2. Stage 2 – Formal Complaint

- The school will deal with matters that are unable to be informally resolved as a formal complaint or where it would be inappropriate to resolve an issue through informal means.
- Formal complaints can be raised by:
 - Letter or email
 - Telephone
 - In person
 - A third party acting on behalf of the complainant
- The complainant should provide sufficient information such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would be required in order to resolve the complaint.
- If complainants need assistance to raise a formal complaint, they can contact the school office by phone 01244 960000 or email office@abbeyschool.com
- On receipt of a formal complaint, the Complaints Officer will log the complaint on the register of complaints and acknowledge receipt within three working days, wherever possible.
- The Complaints Officer will call a meeting to clarify concerns and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.
- In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting, for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange the alternative accompaniment.
- The Complaints Officer will then conduct their own investigation and send their written conclusion to the complainant within fifteen working days. The conclusion will confirm the outcome of the investigation and what action is being proposed as a result. A copy will be sent to the Principal, Proprietor and Chair of the Advisory Body.

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- If the complainant wishes to proceed to the next stage of the procedure, they should inform the school within five working days. Requests received outside of this time frame will be considered in exceptional circumstances.
- The school will acknowledge receipt of the request within three school days.

6.3. Stage 3 – Independent Review

- If the complainant remains dissatisfied with the outcome of the formal complaint, they may request an independent review. They must submit any request in writing to the Proprietor within five working days of receipt of the written conclusion.
- The Proprietor will arrange a hearing before a Panel. The Panel will be comprised of members of the Advisory Body and include at least one “independent person” appointed by or on behalf of the Proprietor and will have access to the existing record of the complaint’s progress.
- The Clerk will gather and circulate written and oral submissions and to the complainant and Panel members prior to the meeting.
- The complainant may be accompanied at the hearing if they wish by a suitable companion. Legal representation will only be permitted if the Proprietor considers it appropriate.
- The Panel will meet to review the complaint and the complainant will be given reasonable notice of the date of the meeting. The clerk will aim to find a mutually acceptable date. Where a mutually acceptable date cannot be found within 14 days then a date will be set. The Panel can convene meetings in the complainant’s absence and reach a conclusion in the interests of drawing the complaint to a close.
- At the meeting, each individual will have the opportunity to give statements and present their evidence. Witnesses may be called as appropriate to present their evidence.
- The independent person, the complainant and the Panel will be given the chance to ask and reply to questions.
- The Panel will inform the complainant of the conclusion and reasons for any decision in writing and any further rights of appeal. Copies of the findings and recommendation will be submitted to the Proprietor, the Principal and, where relevant, the subject of the complaint.
- Copies of the Panel meeting minutes will be issued to the complainant, subject to any necessary redactions under the Data Protection Act and the UK GDPR.

7. The use of social media

Social media should not be used to make or progress a complaint. Complaints should be made through the channels that ensure information is recorded safely and securely and to be sure that the complaint can be progressed in a timely way and in accordance with a set of clear procedures. Complaints should be made through a personal meeting, by letter, telephone call and/or email. In the case of social media being used to express a negative opinion about an aspect of the work of Abbey School, the following four steps will be taken by the school:

Gather evidence

When the school becomes aware of a negative opinion being expressed through social media channels (Facebook, Twitter, etc) about any aspect of its work and/or its staff, evidence will be gathered to establish what has been posted on social media and by whom. Staff will not respond to any postings deemed to be negative. The person (most likely to be a staff member) who identifies the post(s) will inform the communications team as soon as possible.

Reassure staff

The content of negative posts may upset staff members. The Principal or other appropriate senior staff member should reassure staff and offer support through whole staff emails, meetings and individual discussions. If a complaint or allegation refers to a specific member of staff, the Safeguarding Children and Young People in Education Policy and Procedure will be followed. We take all allegations relating to the safeguarding of children and young people very seriously.

Report offending material and remove

The communications team will be approached to remove content if it breaches the terms and conditions of the platform. If the content does not breach the terms and conditions of the platform, then the team will hide the post and/or review our settings including around posting to our page, posting about us, tagging.

Legal advice

In cases of malicious allegations, Abbey School may seek legal advice. In some cases, this may result in a letter from a solicitor being sent to individuals warning that the allegations could result in legal action

8. Complaints received outside of term-time

Complaints or concerns made outside of term-time will be considered to have been received on the first school day after the holiday period.

9. Managing serial and persistent complaints

The school will do its best to be helpful to people who contact with a complaint or a concern. However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied.

If a complainant tries to reopen the same issue, the school can inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the school again on the same issue, the correspondence may then be viewed as “serial” or “persistent” and the school may choose not to respond.

The application of “serial” or “persistent” marking will only be made against the subject or the complaint itself rather than the complainant.

10. Record keeping

The school will record the progress of all complaints, including information about action taken at all stages, the stage at which the complaint was resolved and the final outcome. The records will also include copies of correspondence 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 or on the review panel. Exceptions being where the complainant requests access to records of a complaint through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

The school holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date.

Where there are communication difficulties or disabilities, the school may provide recording devices to ensure the complainant is able to access and review the discussions at a later point.

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No recording devices will be used without the prior consent of all parties.
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.

11. Learning lessons

The Advisory body will review any underlying issues raised by complaints with the senior leadership team, where appropriate, to determine whether any improvements can be made to the school's procedures or policies to help prevent similar instances in the future.

12. Monitoring arrangements

The Advisory body will monitor the effectiveness of the complaints procedure to ensure that complaints are handled properly. They will track the number and nature of complaints and follow up any trends per Section 11.

The complaints records are logged and managed by the Complaints Officer.

This policy will be reviewed by the School Business Manager every two years and the policy will be approved by the Advisory Body.

13. Outside agencies

Parents, pupils and learners may also take their concerns or complaints to the following outside agencies:

- Ofsted <https://www.gov.uk/complain-about-school>
- Cheshire West and Chester
<https://www.cheshirewestandchester.gov.uk/residents/health-and-social-care/children-and-young-people/children-and-young-people.aspx>

APPENDIX 1: Complaint Record

Complaints record

Details of person making the complaint

Full name	
Pupil's name (if relevant)	
Connection to the school	
Post held (if employee)	
Home address	
Contact details:	Email
	Mobile
	Landline (day-time)
	Landline (evening)
If representing an individual – their details	
Details of relationship to anyone involved in the complaint	

Details of who the complaint is about

Full name (s)	
Post(s) held in school	
Contact details	
Any other relevant information	

Details of other persons involved in the complaint

Full name (s)	
Post(s) held in school	
Contact details	
Any other relevant information	

Details of the Complaint

Date and time of any incident		Location of any incident	
Does the complaint refer to Day service or Residential? (Delete as applicable)		DAY SERVICE / RESIDENTIAL	
Details of the complaint			

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What action has already been taken to try and resolve the complaint (if any)? Please give full details			
What actions do you feel might resolve the concern or complaint? Please give full details			
Please give details of any documents attached with this complaint			
Signature			
Name		Date	
OFFICIAL USE:			
Date acknowledgement sent			
Name of individual acknowledging complaint			
Complaint referred to			
Date complaint referred			