

# Cross Keys Learning

## Complaints Policy

**This is a core policy that forms part of the induction for all staff. It is a requirement that all members of staff have access to this policy and sign to say they have read and understood its contents.**

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## Key Contacts

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This policy will be reviewed will be revised following any concerns and/or updates to national and local guidance or procedures.

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## 1. Introduction

Cross Keys Learning is committed to establishing a clear, simple and accessible complaints procedure, which aims to resolve issues as quickly as possible. The procedure is not intended to replace the normal informal discussions, which take place on a day-to-day basis regarding problems and concerns as they arise. It is only where the complainant remains dissatisfied with the outcome of such discussions that further steps may need to be taken.

We value positive relationships between students / parents / carers, external agencies and the community. These relations are based on mutual respect and a willingness to listen to other points of view. The purpose of our complaint's procedure is to provide a structured framework for all concerned to express and resolve concerns, thus providing an opportunity to inform, review and help improve Cross keys Learning procedures.

Any concern or complaint will be given careful consideration and will be dealt with fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding. In all cases we put the interests of the student above all else.

## 2. Concerns and complaints – Definition

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 generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

***(Best Practice Advice for School Complaints Procedures 2016 – DFE)***

## 3. About this Policy

This policy has been developed after consulting:

- DfE School Complaints Procedure Guidance.
- The best practice of other local authorities.
- 'Running a Complaints System' (The Local Government Ombudsman);

After defining the key principles, this policy sets out the 5 separate stages of the complaints procedure itself.

## 4. General principles for Cross Keys Learning when dealing with a complaint.

Cross Keys Learning will ensure that the following principles will apply to any complaint:

- The complaint will be handled with care and sensitivity.
- All stages of the complaint's procedure will be investigatory rather than adversarial.
- Confidentiality will be always respected.
- Responses to any complaint will be prompt and within agreed timescales.
- The Complainant will be given adequate feedback and kept fully informed.
- The Complainant will be kept informed of the options to appeal during the process.
- Any investigation will be thorough and fair.
- Any investigation will address all the points at issue.
- Written records will be kept of all complaints.

If an anonymous complaint is received, or the complainant requests anonymity, then the complainant will be urged to identify themselves in the interests of fairness and of dealing effectively with the

complaint. However, if the anonymous complaint is of a sufficiently serious nature, then the Headteacher will decide whether action is appropriate.

If an anonymous complaint raises child protection issues, then the complaint will be referred immediately to the Local Authority.

## **5. Confidentiality**

Complaints will be treated in accordance with the Data Protection regulations and Cross Keys Learning Confidentiality Policy. All correspondence, statements and records relating to complaints will be securely stored on the schools shared space 'SharePoint' with only Directors/Headteacher/Chair of the board having access to them. These will be kept confidential except where the Secretary of State or body conducting an Inspection under Section 163 of the 2002 Act requests access to them.

## **6. Recording Complaints**

Cross Keys Learning acknowledge that any person may make a complaint about the provision, facilities or service provided by the school. In attempting to resolve concerns / complaints staff will take account of the complainants preferred method of communication and in doing so will accept complaints in person, by telephone, or in writing.

Notes of meetings and telephone calls will be kept, and a copy of any written response added to the record. Where appropriate Cross Keys Learning will record the progress of the complaint and the final outcome.

## **7. Timescales**

Cross Keys Learning are committed to ensuring all complaints are considered and resolved as quickly and efficiently as possible. Complaints will be replied to as received within 48 hours of their receipt and given notice of the timescales for the next steps dependent on the nature of the complaint. Details of the time limits are included within each stage of the process. Where further investigations are necessary the complainant will be advised of the revised deadline and provided with an explanation for the delay.

## **8. Complaints procedure**

The following are the key stages of our complaint's procedure.

**Stage 1** – An informal discussion

**Stage 2** – Referral to Headteacher

**Stage 3** – Referral to the school Director(s)

**Stage 4** – Referral to the chair of the board of Governors

If the complaint is one that may result in disciplinary or legal action against the Headteacher, or the complaint is regarding the Headteacher, then the complaint should immediately be escalated to Stage 3 and the Cross keys Learning Director(s), and if the complaint is about the Directors then the complaint should be escalated to stage 4 and the Chair of the board of governors.

### **Stage 1 (informal)**

Cross Keys Learning take all informal concerns seriously and endeavour to resolve these at the earliest stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the concern / complaint will escalate.

## **Initial concerns**

All staff will make every effort to resolve problems informally. They will make sure that they understand what the complainant feels went wrong, and they will explain their own actions.

Cross Keys Learning will respect the views of the complainant who indicates that he/she would have difficulty discussing a concern / complaint with a member of staff, and alternative arrangements will be made.

Similarly, if the member of staff directly involved feels too compromised to deal with a concern / complaint, consideration will be given to referring the complainant to another staff member. The member of staff may be more senior. It is acknowledged that the ability to consider the concern / complaint objectively and impartially is crucial.

## **Stage 2 – Headteacher**

If a complainant feels that a concern has not been solved through discussion with the class teacher, or that it is of a sufficiently serious nature, then an appointment to discuss it with the Cross Keys Learning Headteacher should be made, indicating that the appointment is regarding a complaint.

If the Headteacher cannot resolve the complaint at the initial meeting, then the school may carry out an investigation of the complaint. It will be the Headteacher's responsibility to decide who should conduct the investigation. This may be the Headteacher or the School's Director(s), especially if there is the likelihood of a personnel issue emerging from the investigation. Cross Keys Learning promote the use of mediation in dealing with complaints at this stage as most complaints will be resolved at this time and ensuring both the complainant and the person being complained about are afforded the opportunity to discuss the issues as they see them.

The investigation will be completed within **10 school days** and a follow-on meeting held with the complainant to discuss the results of the investigation. Further meetings may be held as required if both parties agree that the complaint may be resolved by subsequent meetings, whilst still at the informal level.

The Headteacher will make written notes of any informal complaint. The notes will include details of the complaint, how it was dealt with, by whom and the outcome. In the event of the complaint proceeding to the formal stage, these notes will be made available to the Director(s).

If discussions between the Headteacher and the Complainant cannot resolve the issue to the Complainant's satisfaction, then the Headteacher will advise the Complainant that they may make a formal complaint to the Director(s) **within 20 school days**.

## **Stage 3 – The Director(s)**

If the matter cannot be resolved, or where the complaint is about the Headteacher then the complainant should write to the Cross Keys Learning Director(s) to make a formal complaint.

This stage of the process will be undertaken by the Director(s) whereby the primary function of this stage is to decide on the merits or otherwise of the complaint. However, the Director(s) will also play an important role in attempting to resolve the complaint, and in reaching a decision on whether the complaint is upheld or rejected. This may include calling for certain action to be taken by the school or the complainant.

When a formal complaint is received by the Cross Keys Learning Director(s) a letter of acknowledgement and a request for written evidence (verbal if necessary) will be sent to the Complainant **within 10 school days**.

The Director(s) will convene the complaints meeting with a panel of three people who have not been involved in the complaint as soon as is practically possible after the receipt of all written evidence, at mutually acceptable times. At least one member of the panel will be independent of the leadership and management of the school. Any written evidence will be circulated to all parties prior to any meetings. The panel will then meet with all parties, formally and separately if necessarily, and each party may be accompanied by a friend or colleague who can speak on their behalf if necessary. It will also be the case that meetings will be minuted.

The decision reached will be notified by the Director(s) in writing to the complainant **within 10 school days**.

Written replies to Complainants will aim to answer all the points of concern, be factually correct, avoid jargon, and tell the Complainant what to do next if they are still not satisfied. Where appropriate the Director(s) may telephone the Complainant regarding the outcome, however this will always be followed up with a letter to make sure there is no misunderstanding.

It will be the Cross Keys Learning Director(s) responsibility to conduct the investigation, especially if there is the likelihood of a personnel issue emerging from the investigation.

The Director(s) will make written notes of the complaint. The notes will include details of the complaint, how it was dealt with, by whom and the outcome.

#### **Stage 4 – Referral to the chairs of the board of Governors.**

Complaints about Cross Keys Learning are almost always settled within the school, but in exceptional cases it may be possible to refer the problem to the chair of the board of Governors. Cross Keys Learning has a board of governors and a chair who can oversee a complaint that has not been resolved by either the Headteacher or the Directors of the school.

The complaint can either be emailed to [keith.rumblo@kms.kent.sch.uk](mailto:keith.rumblo@kms.kent.sch.uk) or in written to

The Chair of the board of governors,

Cross Keys Learning,

The LEAD Centre,

Dane Valley Road,

Broadstairs,

Kent,

CT10 3JJ.

#### **9. Resolving complaints**

At each stage in the procedure Cross Keys Learning remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology.
- an explanation.
- an admission that the situation could have been handled differently or better.
- an assurance that the event complained of will not reoccur.
- an explanation of the steps that have been taken to ensure that it will not happen again.

- an undertaking to review school policies considering the complaint.

**10. What is not covered by the complaints policy.**

- Complaints about the national curriculum entitlement and collective worship
- Student admissions
- Exclusions
- Issues relating to child protection.
- Employee grievances/disciplinary/dismissal
- Criminal investigations
- Grievance procedure
- Complaints of financial improprieties or other criminal activities will be dealt with through our Whistleblowing Policy, if raised by staff