



Complaints Procedure

Approved by:	The Proprietors	Date: Jan 2024
Ratified by:	N Purcell	Date: Jan 2024
Document created on:	July 2021	
Last reviewed on:	Jan 2024	
Next review due by:	Jan 2026	
Document Reviewed by:	K McCarthy	N Purcell

GOAL: The complaints policy aims to empower readers to confidently raise concerns, ensuring fair and transparent resolution while driving continuous improvement for a positive learning environment.

1. Introduction

ARTS Education is committed to providing high-quality education and support to all students. We recognise that there may be occasions where a member of the school community is unhappy with something, such as a staff member or parent of a student. This procedure outlines the steps you can take to raise a concern or make a complaint.

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school and others. Throughout the process we will be sensitive to the needs of all parties involved and make any reasonable adjustments needed to accommodate individuals during the process.

We believe that these aims help us to reflect and meet our School values: Self-worth, Opportunities & Compassion.

When responding to complaints, we aim to:

- Be impartial and non-adversarial.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect and courtesy.
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law.
- Keep complainants informed of the progress of the complaints process.
- Consider how the complaint can feed into school improvement evaluation processes.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, 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).

This document meets the requirements of section 35 of the schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011, which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

It also refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

3. Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

4. Scope and Purpose

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaints.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

6. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened?
- Who was involved?
- What the complainant feels would be the desired outcome to resolve the complaint/issue.

7. Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant.
- Send the complainant details of the new deadline and explain the delay.

8. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head of Schools or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

9. Withdrawal of a complaint

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

10. Stages of complaint

Informal Stage

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible with the relevant member of staff or the Head teacher, either in person or by letter, telephone or email. If you are unclear who to contact or how to contact them, you should contact the school office info@artseducation.co.uk subject heading 'Concern' or contact the school directly on 07749846945. The school will acknowledge informal complaints within 5 school days, if an investigation is required then the school will provide a response within 14 school days. However, in more complex cases requiring information or written reports from external professionals, the resolution timeline may extend up to 30 school days.

The informal stage could involve:

- Telephone communications.
- Email communications.
- A meeting between the complainant and an appropriate member of staff and/or the subject of the concern, if appropriate.

If the concern is not resolved informally, it can be escalated to a formal complaint. Complaints can also be withdrawn at any stage.

Formal - Stage 1

The formal stage 1 involves the complainant putting the complaint to the Senior Leadership Team.

- In a letter or email.
- Or Through a third party acting on their behalf.

All instances of a formal complaint must be reported in writing and include pertinent details of the complaint to document its accuracy, including information such as that detailed below.

Identifying Information:

- Your name and contact information.
- The name of the individual or organisation you are complaining about (if applicable).
- Date and time of the incident(s) involved.

Description of the Complaint:

- A clear and concise explanation of what happened, including specific details and factual accounts.
- How the incident impacted you or others.
- Any relevant policies or regulations that were allegedly violated.

Supporting Evidence:

- Attach any relevant documents, photos, or recordings that support your complaint.

If complainants need assistance raising a formal complaint, they can contact the school office info@artseducation.co.uk subject heading 'Complaint' or contact the school directly on 07749846945 and advice will be given on the procedure of raising a formal complaint via this policy.

The Head teacher (or other person appointed by the Head teacher for this purpose) will then conduct their investigation. The written conclusion of this investigation will be sent to the complainant within 14 school days. However, in more complex cases requiring information or written reports from external professionals, the resolution timeline may extend up to 30 school days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this complaints procedure (formal stage 2), they must advise of this in writing within 5 school days of their receipt of the written conclusion. The investigator will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Formal stage 2 - Review Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the formal stage 1.

The panel will be appointed by or on behalf of the proprietors and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint, nor in the formal stage 1 investigation. At least 1 panel member must be independent of the management and running of the school (This could be someone from the HR department or a suitable professional from a local school). The panel cannot be made up solely of the proprietor members, as they are not independent of the management and running of the school.

The panel will write to the complainant to inform them of the date of the review panel meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the panel will provide an anticipated date and keep the complainant informed.

Two potential dates will be offered to the complainant. Each of these will give the complainant reasonable notice of the dates. If neither of these days are convenient, the review panel reserves the right to convene at their convenience rather than that of the complainant.

The panel will decide whether to deal with the complaint by inviting all parties to a face to face meeting or through written representations from some parties, but in making their decision they will be sensitive to the complainant's needs.

Where both parties are asked to attend, they may bring someone along to provide support. This can be a relative or friend for the complainants and a colleague for any staff members invited. Generally, we do not encourage either party to bring legal

representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes may not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the panel will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the venue and proceedings are accessible
- request copies of any further written material to be submitted to the panel at least 7 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before electronic recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The panel will provide the complainant with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. This information will also be shared with the person complained about and will be available for inspection on the school premises by the proprietor and the head teacher.

11. Roles and Responsibilities

The Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures.
- Cooperate with the school throughout the process and respond to deadlines and communication promptly.
- Ask for assistance as needed.
- Treat all those involved with respect.
- Not publish details about the complaint on social media - **all parties concerned are entitled to confidentiality.**

The Investigator

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

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings.
- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely.
- Arrange the complaints hearing.
- Record and circulate the minutes and outcome of the hearing.
- Ensuring that everyone is treated with respect throughout and all parties are allowed full opportunity to present their case.
- Prepare a comprehensive report to the Head teacher which includes the facts and potential solutions.

Trade Union and HR Accompaniment

The Complainant and those involved in the complaint are entitled to bring a person to accompany them to the meetings such as a colleague/friend, a trade union rep or HR rep. If a trade union rep or HR rep, they should be appropriately certified as being competent to attend the meeting.

12. Complaints against the Head teacher, deputy Head Teacher or the Proprietors

If the complaint is about the Head teacher, Deputy Head Teacher or one/both of the proprietors, the complaint should be raised to the school governors at artseducationgovernors@artseducation.co.uk

Complaints against the Head teacher, deputy Head teacher or proprietors will follow the same process as outlined in section 10.

The informal stage will involve a meeting between one of the Governors, the complainant and the person the complaint is about. (ie Head or Deputy in this instance). It is hoped that any issues can be resolved informally at this stage.

If the complaint is not resolved informally, it can be escalated to a formal complaint in the same manner as that outlined in section 10. (i.e. Formal stage 1) In this instance, the complaint should be put in writing via email to the appropriate Governor.

Formal stage 1, the Governor chosen for the informal stage will complete their own full investigation of the complaint or will appoint an appropriate, non biased investigating officer. The process will take place in the same manner as that described in section 10.

Formal stage 2, The review panel will be convened from Governors and independent parties who have not been involved in formal stage 1. The process will take place in the same manner as that outlined in section 10, using the same timelines.

13. Unreasonably persistent complaints

To identify persistent or unreasonable complaints, we consider frequency, nature, and impact. For instance, repetitive, unfounded complaints within a short time frame might raise concerns. If an investigation deems such complaints baseless, steps to mitigate future occurrences could include formal warnings, temporary restrictions on complaint submission, or facilitated discussions.

It's crucial to emphasise that these aim to address the behaviour, not silence genuine concerns. A clear definition outlining identification and handling of persistent complaints, ensuring fairness and transparency for all involved, is essential.

To deem a complaint persistent or unreasonable we will identify if the person making the complaint:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason.
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out.

- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

14. Steps School will take in dealing with a perceived persistent or unreasonable complaint

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary.

15. When school will stop responding to a complaint

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

In instances where the school determines further correspondence regarding an individual's complaint would not be productive or yield resolution, a written notification will be provided to the individual. This communication will clearly state the schools intent to cease responding to the specific complaint in question, while confirming that any new, substantive complaints arising from them will still be duly considered and investigated.

In the event of any grave occurrence involving aggression or violence as a response to the schools decision to stop responding to a complaint as outlined above, the school will promptly notify the relevant law enforcement authorities. Additionally, a written communication outlining the undertaken actions will be provided to the individual. Such actions may include, but are not limited to, barring the individual from accessing the school premises.

16. Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess

whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete.

If there are new aspects, we will follow this procedure again.

17. Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website.
- Sending a template response to all of the complainants.

18. Record keeping and confidentiality

The school will record/log the progress of all formal complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome, including any actions the school has taken as a result of the complaints (regardless of whether they are upheld). The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or 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.

Records of formal complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our records management policy.

19. Learning lessons

The proprietors will review any underlying issues raised by complaints with the Head/senior leadership team, where appropriate, and respect confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

20. 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 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by ARTS Education. They will consider whether ARTS Education 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: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

20. Monitoring and Evaluation

We review the effectiveness of our policy and practices yearly through student feedback, parent feedback and staff reflection.

21. Conclusion

This Complaints Policy provides a clear and accessible framework for raising concerns and seeking resolution. We value open communication and encourage you to share your experiences, positive or negative, with us.

We appreciate your understanding that not all complaints may result in the desired outcome. However, we assure you that each complaint will be investigated thoroughly and fairly. We will strive to communicate clearly and promptly throughout the process, keeping you informed of the steps taken and the outcome.