

St. Peter's Centre

Medical Short Stay School



Complaints Policy

Reviewed: February 2022

Introduction

At the St Peter's Centre we aim to be fair, open and honest when dealing with any complaint. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. St. Peter's Centre is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the Centre's formal complaints procedure. For St. Peter's Centre to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year, it will not be investigated.

The prime aim of St. Peter's Centre's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the Centre.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the schools safeguarding policy.

Social Media

In order for complaints to be resolved as quickly and fairly as possible SPC requests that the complainants do not discuss complaints publically via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect the complainant to observe confidentiality also.

The following details outline the stages that can be used to resolve complaints.

St. Peter's Centre Policy has three main stages

In summary they are as follows:

- Stage 1 – A concern is raised informally with a staff member
- Stage 2 – Complaint is heard by the Head
- Stage 3 – Complaint is heard by Management Committee (Appeal Panel)

Stage 1 – Raising a concern

Concerns can be raised with St. Peter's Centre at any time and will often generate an immediate response, which will resolve the concern. The Centre requests that parents make their first contact with the Headteacher. On some occasions, the concern raised may require investigation, or discussion with staff, in which case you will receive an informal response within 48 hours. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please contact St. Peter's Centre within 10 school working days and state what you would like the school to do. St. Peter's Centre will then look at your complaint at the next stage.

Stage 2 – Complaint heard by the Head

The formal stage involves the complainant putting the complaint to the Headteacher and/or the subject of the complaint: In a letter or email, over the phone, In person or through a third party acting on their behalf.

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. If complainants need assistance raising a formal complaint, they can contact the school office admin@sphpru.surrey.sch.uk or 01784 439168. The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation.

The written conclusion of this investigation will be sent to the complainant within ten school days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within five school days.

Stage 3 – Complaint heard by the Management Committee Complaints Appeal Panel

If the matter has still not been resolved at Stage 2, then you will need to write to the Chair of Management Committee giving details of the complaint. The Chair or a nominated member will convene a complaints panel. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 3 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the Centre and the complainant. All parties will be notified of the Panel's decision in writing

within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

***NB.** In cases where the matter concerns the conduct of the Head, the Chair of the Management Committee will be informed of the complaint. The Chair of the Management Committee will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Management Committee the member will be informed of the complaint.

In exceptional circumstances the management committee may appoint an independent investigator to look into the concerns.

The Management Committee appeal hearing is the last complaints process.

If the complaint is not resolved, a parent may make representation to Surrey Local Authority.

Retention

The complaint investigator/ the Chair of the Complaint Appeal Panel should ensure that a copy of all relevant information relating to the complaint is kept at the school in a secure, confidential file, separate from staff and pupil records. This information should be retained for six years from the date of the complaint, in line with guidance from the Information and Records Management Society (www.irms.org.uk) and in accordance with the principles of the Data Protection Act 1998. The complainant should be informed that this will be done.

Unreasonable complaints and serial and persistent complainants

St Peter's Centre 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 the 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.

St Peter's Centre defines serial and unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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 Chair of Management Committee will discuss any concerns with the complainant informally before applying an 'unreasonable' judgement.

If the behaviour continues, the Headteacher will write to the complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For complainants who excessively contact St Peter's Centre causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from St Peter's Centre.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Governing bodies/Management committees have a responsibility to ensure for the wellbeing of pupils and staff, and will therefore act to ensure that schools remain a safe place.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied permission to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should 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 Chair of the Management Committee. However, complaints about barring cannot be escalated to the Department of 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.

Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the Management Committee, or the Surrey County Council Area Schools Officer

Relevant legislation and guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Education (Independent School Standards) Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education *Best Practice advice for school complaints procedures*

<https://www.gov.uk/government/publications/school-complaints-procedures>