



VTC

Complaints Policy

Reviewed By: Headteacher / VTC Advisory Board

Review date: September 2022

Next Review Date: September 2023

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VTC Complaints Policy

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1. Aims

At Vocational Training Centre (VTC) we aim to meet our statutory obligations when responding to complaints from parents of pupils at the school, and others.

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 the 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.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

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).

3. Definitions and scope

3.1 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”. The school will resolve concerns through day-to-day communication as far as possible.
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

3.2 Scope

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.
- Whistleblowing.
- Staff grievances.
- Staff discipline.

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

4. Roles and responsibilities

4.1 The complainant

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

- Follow these procedures.
- Co-operate with the school throughout the process and respond to deadlines and communication promptly.
- Treat all those involved with respect.
- Not publish details about the complaint on social media.

4.2 The investigator

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

- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely.
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions.

4.3 Clerk to the Governing Board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before the complaints committee meetings.
- Arrange the complaints hearing.
- Record and circulate the minutes and outcome of the hearing.

4.4 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout.
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened.
- Who was involved.
- What the complainant feels would put things right.

5.1 Time scales

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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 outside of term time, we will consider them to have been received on the next school day.

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.

6. Stages of complaint (not complaints against the headteacher, proprietor or governing board)

6.1 Stage 1: informal

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 complaint as soon as possible with the relevant member of staff or the headteacher, either in person, by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office on [01795 899240](tel:01795899240) or sean@VTCindependentschool.co.uk or paul@VTCindependentschool.co.uk

The school will acknowledge informal complaints within 3 school days, investigate and provide a response within 7 school days.

The informal stage will involve a meeting between the complainant and the member of staff concerned and/or the headteacher, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

6.2 Stage 2: formal

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.
- 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 01795 899240 or via email on sean@VTCindependentschool.co.uk or paul@VTCindependentschool.co.uk

The Head of Centre (or another person appointed by the Head of Centre for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 5 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 3 school days.

6.3 Stage 3: 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 second, formal, stage.

The panel will be appointed by or on behalf of the proprietor and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Head of Centre.

The school will inform those involved of the decision in writing within 5 school days.

7. Complaints against the headteacher, proprietor, or advisory board members

7.1 Stage 1: informal

Complaints made against the headteacher, proprietor or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher, proprietor or one member of the governing board (including the chair or vice-chair), a suitably skilled and impartial advisor will carry out the steps at stage 1 (set out in section 6 above).

Where a complaint, at any stage, is made against the proprietor in his role as Director for Learning or as proprietor, the complaint should be directed to the clerk to the governing board, rather than the headteacher.

7.2 Stage 2: formal

If the complaint is made against the headteacher, proprietor or the chair and vice-chair, the entire governing board or the majority of the governing board, the following procedure will be adopted

Headteacher: This will be investigated by the proprietor.

Proprietor: This will be managed/investigated by the Chair of the Board of Governors.

Chair & Vice Chair of the Board of Governors: This will be managed/investigated by an independent third party not involved with the running of the school.

Entire Board of Governors: This will be managed/investigated by an independent third party not involved with the running of the school.

7.3 Stage 3: review panel

If the complaint is made against the headteacher, proprietor or the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent advisors will hear the complaint. They will be sourced from local schools and the local authority and will carry out the steps at stage 3 (set out in section 6 above).

8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education.
- Pupil welfare and health and safety.
- School premises.
- Staff suitability.
- Making information available to parents.
- The spiritual, moral, social or cultural development of pupils.

The DfE will consider any reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

9. Record keeping



The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. 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 held centrally 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 complaints will be kept securely, only for as long as necessary.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

10. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures.
- Admissions policy.
- Exclusions policy.
- Staff grievance procedures.
- Staff disciplinary procedures.
- SEN policy.

Review of procedure

This procedure will be reviewed annually.

The Advisory Board approved this policy on date: 21/09/2022

Signed: Malcolm Chalk, Chair of VTC School Advisory Board

Signed: Sean Campbell, Headteacher



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