

# THE LION WORKS SCHOOL POLICY



## Complaints policy

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## 1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school.

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 to parents. 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 an independent school 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 policy is written with an understanding of [Keeping Children Safe in Education 2024](#).

## 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”

The school intends to resolve complaints informally wherever possible, at the earliest opportunity. 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 or appeals procedures relating to:

- Admissions
- Safeguarding matters
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint and/or appeals. In the event that a complainant believes the policies and processes in the aforementioned policies have not been followed then a complaint can be made via the terms of this policy, but an outcome from this policy will not change the outcome from any of the processes contained within the policies listed above. This policy can only be used if the complaint relates to the conduct of a member of staff, not the outcome of the above processes.

The school will not accept complaints from parents of pupils who no longer attend the school. If a parent of a current pupil wishes to complain about a matter relating to a sibling who is a former pupil, the school will accept this complaint within the specified time frame.

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

All written outcomes to formal complaints will be retained within school for the purposes of inspection and oversight in line with the school’s data retention schedule which can be viewed as an appendix to the school’s GDPR policy.

#### **4. Roles and responsibilities**

##### **A) 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
- Ask for assistance as needed

- Treat all those involved with respect
- Do not publish details about the complaint on social media

## **B) 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

## **C) Panel Chair**

The Panel chair will:

- Chair the panel meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the panel, 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

## **6. Timescales**

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. An example of a valid reason could, serious parental sickness or other unavoidable absence from family life.

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. The complaint may be acknowledged during a holiday period, but due to the contractual availability of staff who may be subject to, or involved in investigating the complaint, it will be necessary to measure the time frame from the first day of the proceeding term.

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

## **7. Stages of complaint (except in complaints against the headteacher)**

### **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 as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office. The school will acknowledge informal complaints within **2 school days** and investigate and provide a response within **15 school days**. The informal stage will involve a meeting between the complainant and the headteacher, as appropriate. If the complaint is not resolved informally, it will be escalated to a formal complaint or can be escalated at the request of the complainant.

### **Stage 2 – Formal**

Formal complaints can be raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, as well as information as to what they feel would resolve the complaint. Acknowledgement of the complaint will be provided **within 2 school days** of the complaint being submitted.

If complainants need assistance raising a formal complaint, they can contact the school office.

The headteacher (or designated member of the senior leadership team) 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 alternative accompaniment.

The headteacher (or 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 **15 school days**.

Following this, if the complainant is not satisfied with the outcome they may choose to proceed to the next stage of the procedure. They should inform the investigating person within **5 school days** if this is the case.

### **Stage 3 - Escalating a complaint internally**

Complaints can be escalated by contacting the headteacher:

- By letter or email
- Over the phone
- In person
- Through a third party acting on behalf of the complainant

The headteacher will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint. This will then be investigated by the headteacher.

Your escalated complaint will be acknowledged within **2 school days**. The written conclusion of this investigation will be sent to the complainant within **15 school days** of confirmation of receipt of an escalation request by the headteacher.

### **Stage 4 – Escalating a complaint externally**

If the complainant wishes to proceed to the next stage of the procedure, they should inform the proprietary organisation in writing **within 5 working days**. Requests received outside of this time frame will be considered in exceptional circumstances. The proprietary organisation can be contacted on [governance@thelionworksschool.org](mailto:governance@thelionworksschool.org).

The Executive Director(s) will acknowledge receipt of the request **within 5 working days**. The complaint will then be investigated, which may include meeting with the various parties concerned, and a final report will be provided to the complainant **within 15 working days** of the initial acknowledgement of receiving an escalated complaint. This may include actions from the school intended to resolve the complaint. This will be binding on school leaders.

## **8. Complaints against the headteacher**

### **Stage 1 – Informal**

Complaints made against the headteacher should be directed to the headteacher in the first instance in the hope that it can be resolved informally, if the complainant feels able to do so. This stage can be bypassed if the complainant feels unable to raise the matter with the headteacher or feels it would be inappropriate to do so. Complainants are encouraged whenever possible to try to achieve resolution by the informal route first. The headteacher will attempt to resolve it directly with the complainant.

### **Stage 2 – Formal**

If the complainant is not satisfied with the response of the headteacher to the complaint they can escalate it to be reviewed by a one of the Proprietary Body Executive Directors. They will investigate

will write a formal response at the end of their investigation. The time frames will be the same as those in Stage 4 (Escalating a complaint externally) of a complaint, not about a headteacher.

## **9. Panel hearing**

If a complainant believes their complaint has not been addressed through the formal and informal processes detailed in sections 7 and 8, then they may request a panel is formed to review their complaint. The panel will consist of three people and at least one member who is independent of the management and running of the school. Independent from the management and running of the school would not include a member of the Proprietary Body, a member of the school workforce or an external professional routinely contracted by the school. Where possible, no panel members will be directly involved in the previous investigations but at no time will members of the panel have been involved in matters detailed by the complainant. The complainant is allowed to be accompanied at the panel hearing if they choose. The complainant can choose a representative who is legally trained and they may make a representation to the panel, but it should be remembered that the panel is not an adversarial forum. In the interest of fairness and understanding the school may exercise a reciprocal right to legal representation at a Panel hearing if a complainant has exercised this right. The purpose of the panel is to achieve a resolution to a complaint that can reasonably be considered to be valid.

If a complainant withdraws their complaint or agrees in writing that they are satisfied prior to a scheduled hearing then the hearing will be cancelled and the complaint considered resolved.

If a complainant does not withdraw their complaint, but declines to attend the Panel hearing, the school will be obliged to hold the Panel hearing regardless.

The Panel will accept oral representations from a parent or their representative at a Panel hearing. The Panel will consider the original complaint and its merits as well as considering whether the complaints process has been properly followed by the school.

The school will endeavour to arrange a Panel hearing **within 28 days** of acknowledgement of a written request for one to be held. Acknowledgement of a written request for a Panel hearing will be made **within 2 school days** of receipt. This may be extended if it is not reasonably possible to secure a suitably qualified and experienced independent panel member. The complainant will be given a **minimum of 7 days'** notice of the Panel hearing date. The panel report will make findings and recommendations within **15 working days** of the panel hearing. This will be provided to the complainant and the person(s) complained about. This report will be securely retained within school. These findings and recommendations will be made available on the school premises by the headteacher in accordance with section 12 of this policy.

## **10. 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 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>

## **11. Persistent complaints**

### **Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore the school will treat them seriously. However, a complaint may become unreasonable if the person:

- 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
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- 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

### **Steps we will take**

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

### **Stopping responding**

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

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. Defamatory or false accusations against the school made publicly, including on social media, may be cause for termination of a student placement if it is felt that the unreasonable behaviour of the complainant is detracting from the school's ability to meet the needs of other students.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### **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 the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

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

### **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:

- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **12. 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. The material will be available for inspection.

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 and in line with data protection law, our privacy notices and our GDPR policy.

### **13. Learning lessons**

The Proprietary Body will review any underlying issues raised by complaints where appropriate, and respecting 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.

### **14. Monitoring arrangements**

The Proprietary Body will monitor the effectiveness of the complaints procedure to ensure that complaints are handled properly. The Proprietary Body will track the number and nature of complaints, and review underlying issues as stated in section 13.

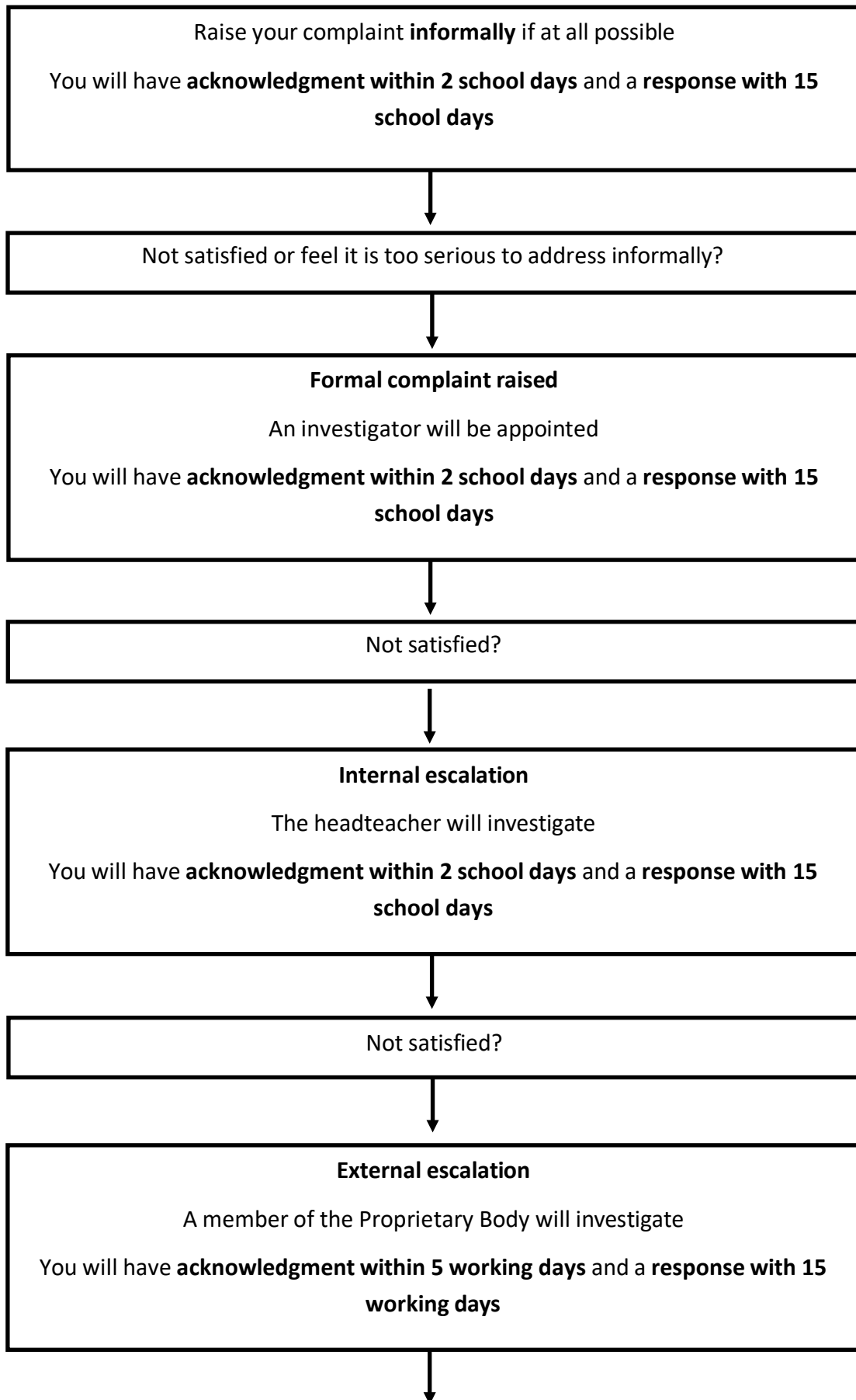
The complaints records are logged and managed by the headteacher, except where complaints are about the headteacher or have been escalated or have been reviewed at a panel hearing. The complaints logged and managed by the headteacher will be reviewed as part of routine auditing as well as in headteacher line management meetings. This policy will be reviewed by the Proprietary Body every 12 months. At each review, the policy will be approved by an Executive Director with guidance from the school board.

### **15. Links with other policies**

Policies dealing with other forms of complaints and appeals include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Behaviour policy
- Staff grievance procedures
- Staff disciplinary procedures
- Staff capability procedures
- Privacy notices
- GDPR Policy
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**Appendix 1: Flowchart showing the stages of a complaint (not about the headteacher)**

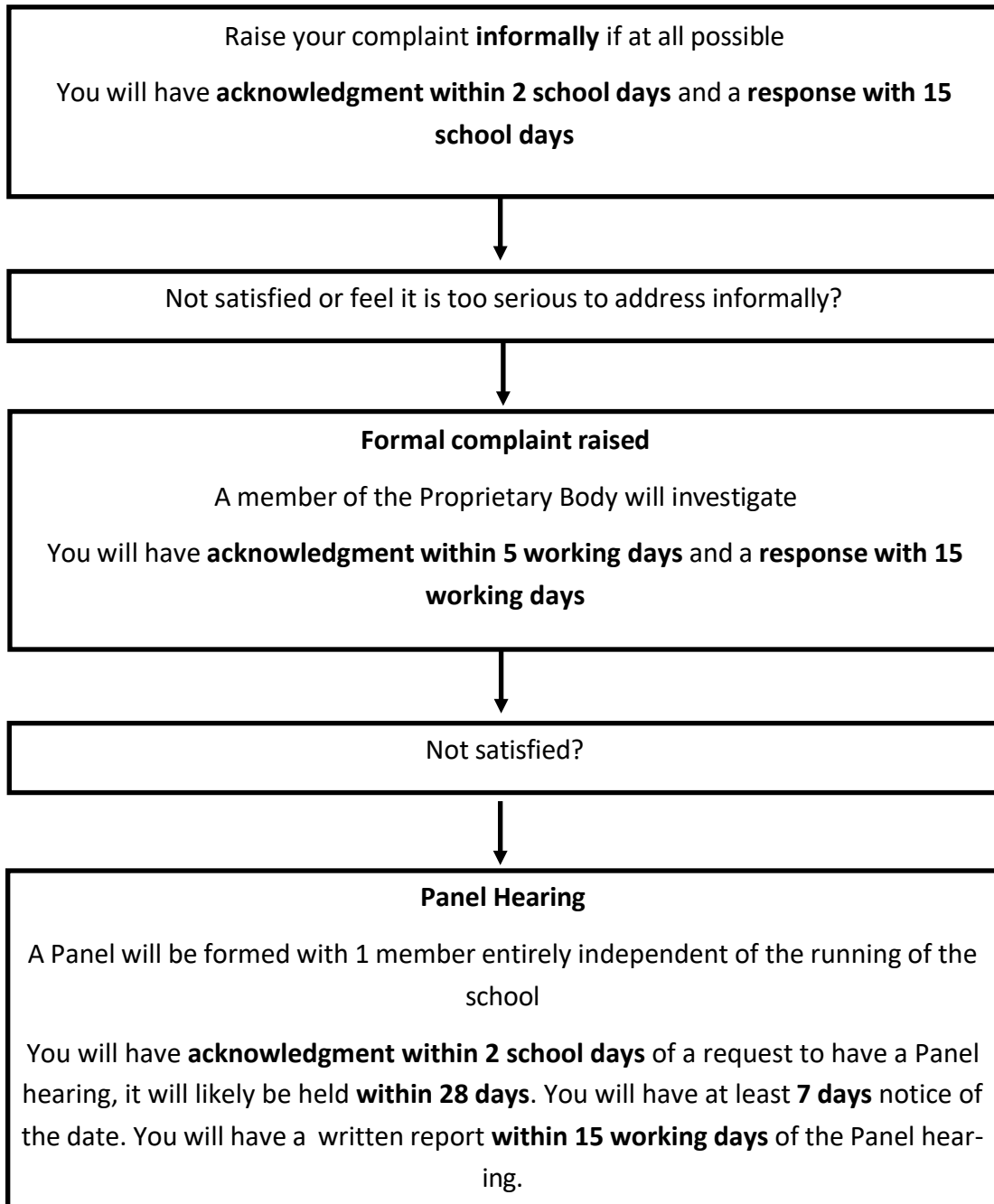


### **Panel Hearing**

A Panel will be formed with 1 member entirely independent of the running of the school

You will have **acknowledgment within 2 school days** of a request to have a Panel hearing, it will likely be held **within 28 days**. You will have at least **7 days** notice of the date. You will have a written report **within 15 working days** of the Panel hearing.

**Appendix 2: The stages of complaint if the complaint is about the headteacher**



### **Appendix 3: Confirmation of number of formal complaints from 2023 -2024.**

As an Independent the school, The Lion Works School, is required to maintain a record of formal complaints raised with the school ([Independent School Standards Regulation 2014 clause 32\(3\)\(f\)](#)).

This information must be “made available” ([regulation 2\(3\) and \(4\) of the Independent School Standards Regulations 2014](#)) to parents of pupils and prospective pupils. Accordingly, this policy and appendix are published freely on the school website ([regulations 2\(3\)\(a\)\(ii\) and 2\(3\)\(b\)\(i\)](#)).

During the school year 2023-2024, also referred to as the preceding school year, two formal complaints were lodged with the school.