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1.0 INTRODUCTION

Implementation: It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions.

Compliance: This policy complies with all relevant regulations and other legislation as detailed in the *Compliance with Regulations & Legislation Statement*.

Options Higford encourages all of its young people, and anyone who comes into contact with our services, to raise any matter about which they are unhappy or feel they have cause for complaint. Every complainant has the right to expect to be treated fairly, politely and without prejudice. Anybody making a complaint will not be victimised in any way. We resolve to investigate every issue fully and seek a satisfactory conclusion in all cases.

Options Higford takes a pride in the quality of teaching and care that are provided to its children and young people. However, if they, or their parents / carers do have a complaint, they can expect it to be treated by Options Higford in accordance with this Procedure. Correspondence, statements and records will be kept confidential, except where the Secretary of State or a body conducting an inspection under Section 162A of the 2002 Act, as amended, requests access to them; where disclosure is required in the course of the school's or care home's inspection, or where any other legal obligation prevails.

This procedure is based on the model recommended by the Independent Schools Council and meets the requirements of The Education (Independent School Standards) Regulations 2014 and the Children Act 1989. It also follows DfE Best Practice Advice for School Complaints Procedures 2016.

2.0 THE DIFFERENCE BETWEEN A CONCERN & COMPLAINT

"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'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the stages outlined within their procedure."

DfE Best Practice Advice for School Complaints Procedures 2016.

3.0 STAGES

Stage 1: Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.

- If a young person or parent / carer has a complaint they should normally contact the Teacher or Team Leader in the first instance. In many cases, the matter will be resolved straight away by this means, to the young person's or parent/ carer's satisfaction. If the Teacher or Team Leader cannot resolve the problem alone, it may be necessary for him/ her to consult the Head Teacher or Operations Manager.
- Complaints made directly to the Head Teacher or Operations Manager will usually be referred to the relevant Teacher / Team Leader unless it is deemed appropriate for them to deal with the matter personally.
- The relevant Teacher / Team Leader will make a written record of all concerns and complaints and the date on which they were received. The complainant will receive acknowledgement of receipt of the complaint within one working day, with an explanation of the procedure to be followed, including time scales. Should the matter not be fully resolved within 3 working days, or in the event that the Teacher / Team Leader and the young person or parent / carer is unable to reach a satisfactory resolution then the young person or parents/ carers will be advised, and if needed supported, to proceed with their complaint in accordance with Stage 2 of this procedure.

Stage 2: Formal Resolution

- If the complaint cannot be resolved on an informal basis, then the young person or parents/ carers should put their complaint in writing to the Head Teacher / Operations Manager. After considering the complaint, the Head Teacher / Operations Manager will decide on the course of action to take.
- In most cases, the Head Teacher / Operations Manager will meet or speak to the young person or parents/ carers concerned within 2 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head Teacher / Operations Manager to carry out further investigations.
- The Head Teacher / Operations Manager will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head Teacher / Operations Manager is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. The complainant will be informed in writing of the decision, together with reasons for the decision, within 5 working days.
- If the young person or parents/ carers are not satisfied with the decision, they should proceed to Stage 3 of this procedure by putting their complaint in writing to the Head Teacher / Operations Manager.

Stage 3: Panel Hearing

- If the young person or parents/ carers seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Options Head of ASC Children's Residential Schools, who has been appointed to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The complaint will be acknowledged and a hearing scheduled to take place as soon as practicable and normally within 14 days. The young person or Parents/ carers will be given at least 5 working days' notice of the date of the hearing, with an invitation to attend. They will be informed that they may bring with them an advocate, relative, teacher or friend if they wish. Legal representation will not normally be appropriate.

- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 3 days' prior the hearing.
- If possible, the Panel will resolve the complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all the facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 7 days of the hearing. The Panel will write to the young person or parents/ carers (sent by electronic mail or otherwise) informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing (by electronic mail or otherwise) to the young person, parents/ carers, the Head Teacher / Operations Manager and the Options Autism Board. They will be available for inspection on the Options Higford premises by the Head of ASC Children's Residential Schools.

The young person or Parents/ carers may also contact OFSTED if they believe that the Panel have acted unreasonably in dealing with the complaint. The young person or Parents/ carers should write, detailing the steps already taken and the responses received, to:

**Independent and Boarding Team, Department for Education
Mowden Hall
Staindrop Road
Darlington
DL3 9BG**

- Written records of complaints will be kept in a central file which will indicate whether they were resolved through the complaints procedure, or proceeded to a panel hearing.
- Correspondence, statements and records of complaints will be kept confidential (except for statutory disclosures).
- Young People should also be given information about where to seek help if needed:

Coram Voice Midlands Advocacy Service: **07749941486**

VOICE (formerly Voice for the Child in Care): **02078335792** info@voiceyp.org

NSPCC Helpline: **0800 800 500**

CHILDLINE: **0800 1111**