



## Concerns and Complaints Policy and Procedure

*Trinity puts children's rights at the heart of our provision in order to improve well-being and develop every child's talents and abilities to their full potential. Trinity recognises the United Nations Convention on the Rights of the Child putting it into practice within the school and beyond.*

*This policy promotes Article 3: the best interests of the child must be a top priority in all decisions and actions that affect children; Articles 28-29: every child has the right to a good quality education which develops their personality, talents and abilities.*

Trinity School and College is owned and operated by Cavendish Education; the proprietary Body also known as the Governing Body. Any reference to Governors means a Director of Cavendish Education.

This Policy document is one of a series of Trinity School and College policies that, taken together, are designed to form a comprehensive, formal Statement of Trinity School and College's aspiration to provide an outstanding education for each and every one of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this Policy needs to be read alongside all of the Policies in order to get the full picture; in particular it should be read in conjunction with the **Equality Policy**, the **Health and Safety Policy** and the **Safeguarding & Child Protection Policy**.

All of these Policies have been written, not simply to meet statutory and other requirements, but to evidence the work that the whole School is undertaking to ensure the implementation of its core values.

In all Trinity School and College policies, unless the specific context requires otherwise, the word "parent" imparts the meaning parent, guardian, carer or any other person in whom is vested the legal duties and responsibilities of a child's primary caregiver.

## **Introduction**

Trinity School and College is dedicated to providing the best possible education and support for all its students. This means having a clear, fair, and efficient procedure for dealing with any complaints or concerns to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

Trinity School and College will review and evaluate *all* complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

Trinity School and College will keep all correspondence, statements and records relating to individual complaints confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Trinity School and College will make available all correspondence, statements and records relating to individual complaints for inspection on the school premises by the proprietor and the Headteacher. *The number of complaints received will be published on the website.*

## **Initial concerns: Complaints or Concerns**

At Trinity School and College, we need to be clear about the difference between a concern and a complaint. Taking **informal concerns** seriously at the earliest stage will reduce the numbers that develop into **formal complaints**.

This document is guidance for dealing with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the form teacher or the individual delivering the service will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including **apologising** where necessary

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to the relevant Safeguarding Services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our students, read our Safeguarding and Child Protection Policy.

## **Investigating Complaints**

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- Establish **what** has happened so far, and **who** has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview;
- Maintain a written record all complaints and;

- Identifies, in the record, whether the complaint was resolved formally or proceeded to a panel hearing and;
- Action taken by the school

### ***Resolving Complaints***

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. ***It might be sufficient to acknowledge that the complaint is valid in whole or in part.*** In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance (where possible) that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### ***When an issue/concern first arises***

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone, or in writing. You may be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach the Family Liaison Officer ([flo@trinityschoolrochester.co.uk](mailto:flo@trinityschoolrochester.co.uk)) first as they will be best placed to help you either directly or by directing you to the most appropriate person.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding within 5 working days.

If your complaint is about a member of staff, you should first raise this with the Headteacher either in person or in writing, and a meeting can be arranged with them to discuss the issue at hand. If your complaint is about the Headteacher, you should raise your concern in writing with the Operations Director.

If your complaint is about one of the therapists then this will be resolved jointly with the relevant provider.

The Operations Director may refer complaints that are taken straight to her, back to the appropriate member of staff if they do not warrant the Directors involvement at that point.

You are welcome to be accompanied at any meeting during any stage. It maybe appropriate for a student to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

### ***Initial informal meeting***

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff to discuss your concerns.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Headteacher.

### ***Formal complaints***

In order to ensure that complaints are processed efficiently and effectively, Trinity School and College deals with formal complaints in three stages:

#### ***Stage 1:***

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting, or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Headteacher.

The Headteacher should acknowledge your complaint in writing within 2 working days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The Headteacher may call you in for a meeting to discuss the issue, possible solutions, or to explain what has or will happen as a result of your complaint.

The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. These records will be kept confidential except where the Secretary of State or a body conducting an inspection under s109 of the 2008 Act, requests access to them.

If the complaint is against a member of staff, the Headteacher will talk to that employee. If it is an allegation of abuse, local safeguarding children's board procedures will be followed and may include an external or internal investigation.

Complaints about the Headteacher should be reported to the Operations Director. *Contact details can be found at the end of this policy*

#### ***Stage 2:***

If, having spoken to the Headteacher, you are dissatisfied with the outcome of your complaint; you may lodge your complaint with the Operations Director in writing, explaining your concern and the steps that have led to you taking this course of action.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Operations Director within 5 working days of the complaint being lodged with them.

The Operations Director will respond to you in writing within 10 working days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have

reached this decision, and will outline your right of appeal and how you can start your appeal.

## **Appeals**

### **Stage 3:**

If you would like to launch an appeal following the outcome of a formal complaint that you have lodged, this will be taken to the Appeals Panel.

The Appeals Panel will comprise of at least 3 people who were not directly involved in previous consideration of the complaint and who are not in a lesser line management role. At least one person on the panel must be independent of the management and running of the service or department. Possible membership may be drawn from senior leaders, professional advisors and independent representatives.

The Panel will give careful consideration to the individual needs of the complainant and how they can be made to feel most comfortable presenting to the Panel, especially in the case of a young child having to present or explain information.

The complainant can attend a panel hearing and may be accompanied if they wish. The Appeals Panel may review documentation, receive written submissions or in exceptional circumstances and at its absolute discretion, take direct evidence. The complainant must be provided with an opportunity to address the Panel either orally or in writing, as the complainant prefers

The hearing will be arranged in order to enable the complainant and all relevant parties to attend, and at least two weeks' notice will be provided.

The Appeals Panel will:

- Dismiss all or part of the complaint
- Uphold all or part of the complaint
- Decide on the appropriate action to be taken to resolve the complaint
- Evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The complainant, Headteacher, Board of Directors and other interested parties including, where relevant, the person complained about are to be given a written copy of any findings and recommendations, within seven working days of the hearing.

The Panel's decision is final.

### **4. Staff complaints**

Staff who have a concern about any member of staff, paid or unpaid, should refer to our Whistleblowing Policy.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's staff handbook.

### **5. Student complaints**

All students have the right to speak up about any issue that is concerning them, staff will do everything to address student's complaints satisfactorily.

You can make a complaint by: email  telephone  letter   
or talking to a member of staff 

All contact details are available in the classroom. You can address your complaint:

- To your teacher or form tutor
- To your school council representative
- To your keyworker
- To any of the therapists
- To any member of staff at any time
- To your parents/carers

If you need help in making your complaint, the school will facilitate the provision of an independent person, experienced in autism, to act as an advocate or mediator.

### ***What will happen when you make a complaint?***

The member of staff to whom you make your complaint will try and resolve the issue for you. If he/she cannot resolve the issue they will refer your complaint to the Headteacher.

The Headteacher may ask to see you for further details.

The Headteacher will write to you within 10 days with an initial response or final outcome to your complaint. If appropriate your parent/carer may also be contacted.

If you are still dissatisfied, you may request to speak to the Operations Director and an appointment will be arranged within 10 days.

If you do not tell us that you have a problem, we may not be able to help. If you have any concerns, comments, or even compliments, let us know.

### ***Publicising the Procedure***

There is a legal requirement for the Complaints Procedures to be publicised. Our procedures are publicised through:

1. the information given to new parents when their child joins the school;
2. the information available to the students themselves;
3. the school website.

### ***Contact details:***

#### **Operations Director:**

Deb Carr  
Cavendish Education Ltd 14 Waterloo Place  
London

#### **Chair:**

Aatif Hassan  
Cavendish Education Ltd 14 Waterloo Place  
London

SW1Y 4AR  
Tel: 07545 601763  
d.carr@cavendisheducation.com

SW1Y 4AR  
Tel: 020 7736 5214  
info@cavendisheducation.com



Elizabeth Baines, Executive Headteacher  
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