


# Falcons Learning Ltd

## Complaints Procedure



<b>Complaints Procedure</b>	Reviewed 3 Yearly
<b>Last reviewed on:</b>	10/08/2022
<b>Reviewed By:</b>	Stephen Wash
<b>Signature</b>	
<b>Next review due by:</b>	
REVIEW EVERY 3 YEARS	REVIEW EVERY 2 YEARS
	REVIEW YEARLY

<b>Review Panel</b>	
Director	Stephen Wash
Principal	Stephen Wash
Pathway Managers	N/A
Student Council	
<b>External Input</b>	

<b>Change History</b>			
Version	Date	Change Agent	Details of Change
1.0	02/11/2021	Stephen Wash	Initial Issue
2.0	10/08/2022	Stephen Wash	Addition of Governors

# Complaints Procedure

## Introduction

All schools in England are required to have a procedure in place for dealing with complaints relating to the school and any community facilities or services that the school provides. There are certain complaints which fall outside of this procedure because there are established statutory or other prescribed procedures available, for example, staff grievances or disciplinary procedures; school admissions; exclusions; statutory SEN assessments; Child Protection procedures; public examinations; school reorganisation proposals.

At Falcons Learning, staff are dedicated to giving all young people the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents/carers and believe that school and parents/carers must work together in partnership, each carrying out our own particular responsibilities to help learners gain the most from their time in Falcons Learning. We also desire to have good relations with our neighbours and the wider community.

If you feel that something is not going quite as you would like, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it.

## Objection versus Complaint versus Concern - disambiguation

An objection is an expression or feeling of disapproval or opposition; a reason for disagreeing. For example, an objection by a learner that they should not have to take part in a maths lesson will not be treated as a complaint.

There needs to be further clarity between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number that develops into formal complaints.

A complaint is a statement that something is unsatisfactory or unacceptable. A complaint is a formal charge or accusation of wrongdoing brought against a person or the organisation; a formal method of imputing blame or accountability. It is the basis of a grievance and is the scope for this policy.

The key messages in this document regard to complaints, but the underlying principle is that concerns should be handled, if at all possible, without the need for formal procedures. The mandatory requirement to have a complaints procedure in place, in no way detracts from our commitment to deal with concerns informally prior to them escalating.

In most cases the staff member in receipt of a concern may well be able to resolve issues immediately. Many concerns are born out of requiring better clarity of information. Concerns are not formally recorded unless they become complaints.

## Confidentiality

All correspondence, statements and records of complaint will be kept confidential. The investigation process will be conducted involving only people directly concerned with the complaint or its investigation.

## The First Step – Informal

Please arrange to discuss any concerns with your child's teacher, or with the particular staff member concerned. We hope that most problems can be sorted out this way. If you are not the parent/carer of a young person at Falcons Learning, please start at the second step and make contact with the Principal / Proprietor to discuss your concerns. First step complaints can usually be resolved with a discussion. The timescale for dealing with a complaint at this informal stage is 5 working days

### **The Second Step – Informal**

If, after speaking to your child's teacher, and having allowed sufficient time to deal with the issue, you do not feel that your concern has been properly dealt with, or if your concern is about the conduct of a particular staff member, then you should discuss the matter with that person's manager. At Falcons Learning this is the Principal / Proprietor. In almost all cases we can sort things out satisfactorily in this way. The timescale for the Principal / Proprietor dealing with a complaint at this informal stage is 5 working days

Where a complainant is not satisfied with the outcome of these informal stages, they can progress to the third step of the procedure.

### **The Third Step – Formal Consideration**

If your attempts to resolve the matter informally have not been successful, you should make a formal written complaint to the Principal / Proprietor, unless the complaint is about the conduct of the Principal / Proprietor. If you do not feel able to put your complaint in writing please contact the school office to arrange an alternative means of capturing your complaint. You will receive an acknowledgement from the Principal / Proprietor within five school working days. The acknowledgement letter will also indicate the date by which you can expect to receive the written response to your formal complaint letter. This will normally be within ten school working days from the date of the acknowledgement letter.

The Principal / Proprietor will seek any clarification necessary about the complaint, including interviewing the complainant where necessary. The Principal / Proprietor will also seek any necessary advice on the matter and investigate it carefully.

Should the complaint be in relation to the Principal please contact the Chair of Governors. Their contact details are on the website [Specific Contact Points | Falcons Learning](#).

### **The Fourth Step – Formal Consideration by a panel**

Following 10 working days from the date of the Principal / Proprietor's email to notify the complaint with the Governing group for consideration if further guidance is required

The Directors will only consider referring to a panel, complaints that have already progressed through stages 1, 2 and 3 outlined in this procedure.

On receipt of a written complaint the Principal will:

- Immediately log and acknowledge receipt of the complaint.
- Check that the complaint has already completed Stages 1,2 and 3.
- Check that the 28 day period since Stage 3 was complied with.
- Seek any clarification necessary about the nature of the complaint.
- Arrange for the Complaints Panel to consider the complaint as soon as it is practical to do so; and
- Invite the complainant and any representative to the meeting.

A Complaints Panel will consist of the Chair of Governors and two others (their delegates) not involved with the matters detailed in the complaint, at least one of whom will not be connected with the day to day management and running of the school.

The complainant may be accompanied to the hearing if they wish. The complainant or their representative will be given an opportunity to address the panel. A detailed procedure covering the conduct of this meeting is attached as an appendix to this document.

The meeting for the complaints panel will be scheduled at the first available opportunity, but no longer than 28 calendar days from the receipt of a complaint.

The remit of The Complaints Panel may be any or some of the following:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur.

The Chairperson of the panel will notify of the outcome of meeting to the complainant and Principal / Proprietor, along with the person about whom the complaint was made within 7 calendar days. Upheld complaints may prompt changes in policy, procedure or staff training as appropriate.

### **Accountability**

Findings and outcomes of a complaints panel hearing will be available for inspection on the school premises including details of any action subsequently taken. A record of the panel hearing will be retained regardless of outcome for a period of not less than 5 years from the date of notification of the panel decision.

### **Complaint Procedure Timescales**

We will use our best endeavours to address complaints in a timely and efficient manner; however, there will be times when timescales may need to be adjusted. If, at any stage of the process, we believe we are unable to meet the timescales which have been provided to you, Falcons Learning will contact you to explain the reasons for any delay and to provide you with a new timescale for the conclusion of that part of the process.

## External Appeal

The decision of the complaints panel is normally final; however, if you are dissatisfied with their response, you may be able to take your complaint to an external body.

For certain complaints about school, complainants can write to the Secretary of State for Education.

You must do this in writing, either by post to:

School Complaints Unit  
Department for Education  
2nd Floor,  
Piccadilly Gate  
Manchester  
M1 2WD

Or, by using the online School Complaints form. This can be accessed at:

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

You should be aware that the School Complaints Unit (SCU) will usually only consider a complaint once the school's internal processes have been exhausted.

The SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out.

The SCU will also examine whether the school's policies adhere to education legislation. The SCU will not usually re-investigate the substance of the complaint.

The Department for Education (DfE) cannot investigate individual complaints about independent schools. It does have certain powers as a regulator if the school is not meeting standards set by the DfE for:

- Education
- Public welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- Spiritual, moral, social or cultural development of learners

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.

DfE can ask the school inspectorates to take minor complaints into account when the school is next inspected.

Provides that correspondence statements and records relating to individual complaints are to be kept confidential except where the secretary of state or a body conducting and inspection under section 109 of the 2008 Act requests access to them.

You can complain to the DfE by filling in the “School Complaints Form” found at <https://www.gov.uk/complain-about-school/private-schools>

### **Staff Training**

All staff will receive training during induction and then subsequently periodic refreshers exploring a range of issues including what constitutes a complaint, how to respond to a complaint, the procedure for dealing with an informal complaint and how this is recorded, the procedure to follow should a complaint not be dealt with promptly by informal means, including who should be notified and the keeping of records, how to complain to someone outside of the home and how to support young people in making a complaint.

### **Implementation:**

This policy will be reviewed every 3 Years.

It will be reviewed earlier if required by legislation or new DfE guidance.

### **Appendices**

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| Appendix 1: | Outline of procedure for a Complaints Panel meeting dealing with a formal complaint |
| Appendix 2: | Timescales Flowchart  |

**Appendix 1:****Suggested procedure for a Complaints Panel meeting dealing with a formal complaint.**

Ideally meetings will be open to all participants, but account will be taken, (particularly if the complainant is a child) of the effects of other contributors being present.

This especially applies during items 2 and 3. The Panel may choose to call, and/or examine written contributions from any members of the team, or persons relevant to the complaint.

The Panel will judge the appropriateness of which part of the meeting the various contributors attend.

Witnesses are only required to attend for the part of the hearing in which they give their evidence.

1. The Chair opens the meeting explaining that the purpose of the meeting is to listen to the complainant.
2. The Complainant, or their representative, presents his/her case stating the issues clearly. Any witnesses on behalf of the Complainant are heard.
3. Panel members, and any representative of the Placing Authority (if applicable), have an opportunity to ask questions of the Complainant (or any witnesses) seeking clarification.
4. The Principal / Proprietor provides details of how the complaint has been handled and details of any action taken. Any witnesses on behalf of the Principal / Proprietor are heard.
5. The Complainant or their representative, Panel members and any representative of the Placing Authority have an opportunity to ask questions of the Director of Resources or their witnesses.
6. The Panel may at this point request and/or examine contributions from any other party.
7. These contributors may be asked questions by Panel members, and any representative of the Placing Authority (if applicable), the complainant and/or the Principal / Proprietor.
8. The Chair sums up outlining recommendations and findings.
9. The complainant or their representative sums up.

**Timescales flowchart**

This timescale flowchart is intended to be representative of the maximum timescales required to process each stage of a complaint, from stage 1 to stage 4. In certain circumstances the timescales may change, however complaints are usually dealt with as quickly as possible.

**Timescales flowchart**

