



**Burstow Park School**

## **Complaints Policy**

Burstow Park School is an independent special school for students with social, emotional and mental health needs. We strive to ensure the highest quality educational provision to girls aged 11 – 18 years, in partnership with their families / carers. Although we strive to provide the highest quality education provision to pupils and their families, we recognise that at times there may be occasion where a concern or complaint arises. This policy sets out the course of action that should be taken on such occasions.

### **Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by Burstow Park School other than complaints that are dealt with under other statutory procedures.

**These procedures are not for use when dealing with Child Protection issues. Such issues should be dealt with in accordance with the school's Safeguarding and Child Protection procedures in place and Keeping Children Safe in Education (Sept 2020).**

#### **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Burstow Park School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

Guidance to mainstream schools (January 2016) emphasises the difference between a "concern" and a "complaint" and states that complaints will be resolved at the earliest possible opportunity. The guidance also allows for a school to "take a more robust approach" to "serial and persistent complainants". Burstow Park School will always ensure that new complaints are heard, but it is entitled to take action to stop a persistent complainant who is disruptive, abusive, insulting or offensive to individual staff or the school.

This policy sets out the procedures for handling complaints within Burstow Park School from pupils, parents/carers and other adults. These procedures are written as advised and to ensure compliance with the Education (Independent School Standards) (England) Regulations 2014.

Burstow Park School complies with the relevant standards by this complaints policy being:

- (a) in writing
- (b) made available to parents of pupils
- (c) set out with clear time scales for the management of a complaint
- (d) allowing for the complaint to be made and considered initially on an informal basis
- (e) where the complainant is not satisfied with the response to the complaint made in accordance with (d) above, establishes a formal procedure for the complaint to be made in writing
- (f) where the complainant is not satisfied with the response to the complaint made in accordance to (e) above, makes provision for a hearing before a panel appointed on or behalf of the proprietor and consisting of at least *three* people who were not directly involved in the matters detailed in the complaint
- (g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and the running of the school
- (h) allows for a complainant to attend and be accompanied at a panel hearing if they wish
- (i) provides for the panel to make findings and recommendations and stipulates that a copy of these is:  
  
provided to the complainant and where relevant, the person complained about and is available for inspection on the school premises by the proprietor or the Headteacher
- (j) provides for a written record to be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing
- (k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential – except where the Secretary of State or an authorised inspectorate requests access to them.

## The difference between a concern and a 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 defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. We see complaints as an opportunity to review and improve our provision; a

learning opportunity. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Burstow Park School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head Teacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Burstow Park School will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

## How to raise a concern or make a complaint

A concern or complaint can be made **in person, in writing or by telephone**. They may also be made by a **third party** acting on behalf of a complainant, as long as they have **appropriate consent** to do so.

**Concerns** should be raised with either the **teacher/tutor or Head teacher**. If the issue remains unresolved, the next step is to make a **formal complaint**.

**Complaints** against **school staff** (except the Head teacher) should be made in the first instance, to the Head Teacher via the school office. Please mark them as Private and Confidential.

**Complaints** that involve or are about the **Head teacher** should be addressed to Vivienne Spence (Proprietor) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Proprietor, if appropriate, will determine whether the complaint warrants an investigation.

## Time-scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Complaints from staff

Complaints from staff are managed in accordance with the organisation's Employee Handbook and Burstow Park School Staff Code of Conduct (Staff Behaviour) and Grievance Procedures

## How we manage complaints

When dealing with complaints we follow a principle of honesty, fairness and empowerment, without bias or prior presumption, and with the recognition of the need to protect vulnerable people. Our aim is to support the well-being and education of the children and young people by facilitating open communication in resolving issues, and to contribute to the continuous development of the school and services for pupils and their families/ carers and placing authorities.

## Stage 1: The Informal Stage

**We expect that most complaints will be able to be dealt with at this stage. This section sets out some of the ways that such complaints are redressed at this informal stage, and how outcomes are fed back to the complainant.**

### **Pupils:**

Further information on how to make a complaint is displayed in the Safeguarding/ children's welfare room. Burstow Park School actively encourages pupils to have their say in the education and the care they receive. School Council meetings are held on a regular basis where pupils are able to raise any concerns/ complaints that they might have. These are more likely to be addressed in the open and informal style and communication ethos that is apparent at Burstow Park School in its day to day running. Within School Council, minutes are taken and a response given to issues raised. More formal individual procedures may be initiated as outlined in this policy.

In order to monitor and improve the service the school provides to pupils we ask the pupils to complete regular questionnaires giving feedback on different areas of their education and the care the teaching staff provide.

All issues raised are reported and referred for further discussion – e.g. in Assemblies, SLT, full staff meetings and teacher meetings. Any comments, with resolution, to the areas of concern raised by the pupils, are reported back to the weekly student/staff meetings.

**Parents/ carers or other adults:** Parents/ carers and all service users are issued with the school's Complaint Policy during the admission period. There is also a summary of this in the school prospectus.

**Staff** are given information in regard to complaints procedures during their staff induction, which is also contained in the school's Staff Code of Conduct (Staff Behaviour) and Grievance Procedures.

Should the Headteacher be the subject of the complaint then the complaint will be received by the school's Proprietor, Viv Spence.

At the **Informal Resolution** stage, the school will focus on finding ways to resolve a complaint through problem solving, conciliation and negotiation to achieve a satisfactory outcome for all parties involved. It might be acknowledged 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 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.

The Informal Resolution should take place within a timescale of 5 working days. If an acceptable solution is not reached the complainant may wish to progress to the Formal Stage of complaint.

The complainant may wish to start proceedings at the Formal Stage and miss out the Informal Resolution process.

All complaints received will be recorded in the schools Complaints Book which is filed and locked in a secure cabinet and held in the main office. This should detail the nature of the complaint, when and by whom it was made, who has been informed and the outcome of the complaint.

## Stage 2: The Formal Stage

**Timescale: 28 days to investigate, review and report back to complainant.**

Should the complainant feel that the informal stage of a complaint has not resolved their complaint to a satisfactory outcome, the Formal Stage may begin. In some cases, a complaint will be dealt with from the outset by the Formal Complaints Stage. At this point the complaint should be in writing. Where a pupil or parent/ carer need assistance to record their complaint in writing, this may be undertaken by a member of the school staff, social worker or an independent person.

Formal written complaints will be received and considered by the School Business/ Personnel Manager in the first instance. The Headteacher will then appoint a member of the Senior Leadership Team to deal with the complaint. The appointed person should complete their investigations and report on their findings within 28 days of the complaint being first received. Complainants must be kept informed of the progress during this process.

Ofsted and any placing authority will be informed of any serious complaint made about a Burstow School member of staff through the Surrey LADO within their timescale procedure of 24 hours.

The Headteacher will ensure that the complainant is informed of the completion of the investigation, its findings and recommendations in writing.

## The Review (Appeal) Stage

If the complainant is dissatisfied with the outcome or the way in which the complaint was dealt with at the Formal Stage, they have a right to request that the findings and recommendations be reviewed. The request should be made in writing within 28 days of the date of the letter informing them of the outcome of Stage 2. Where the complaint was previously dealt with by another member of the Senior Leadership Team, (The Deputy Head and/or the School Office Manager), the Headteacher or the Proprietor will conduct the review. Where the Headteacher has previously been involved, or is the subject of the complaint, the Proprietor and an independent appropriate person will conduct the review.

The review must be held within 28 days of the request being received and the complainant written to inviting them to attend. They should also be informed of their rights to make written submissions to the review before the meeting.

The complainant may be accompanied by an appropriate person to the meeting who if they wish may speak on their behalf. In the case of a student this would need to be an appropriate adult with the student's interest at heart, such as parents/carers, Voice, Social Worker.

The review must consider all the information from the initial investigation as well as any subsequent information presented in writing or verbally.

The person(s) conducting the review will decide on their recommendations within 24 hours of the meeting and record them in writing, setting out the reasons behind them. The complainant and other relevant people will be informed in writing of the recommendations and any action to be taken. All correspondence and all documentation will be kept confidential.

## Useful contact details can also be found on the school's website and in the Prospectus

**Proprietor:** Vivienne Spence: 01293 826840  
**School Business Manager /  
Complaints Manager:**

**Head Teacher/  
Designated Safeguarding Lead  
(DSL):** Emma Slaughter: 07415738992

Support in making a complaint: **VOICE:** 0808 800 5792  
Email: [help@voiceyp.org](mailto:help@voiceyp.org)

If you are unhappy about the outcome of the school's complaints procedure you should send your complaint in writing to:

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

or go to the Department for Education website:

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

**If your complaint relates to the suitability of an adult who works with – or has access to – children or vulnerable adults, you should consult with the school's Safeguarding Policy.**