

Oakmont Education

Policy

Complaints and Compliments

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Signature	K Price

Policy	
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Introduction

The purpose of this procedure is to provide instruction to members of staff at Oakmont Education in relation to addressing complaints or concerns raised and of the right to complain to regulatory bodies.

At Oakmont Education, we firmly believe that if members of staff and individuals (or carers, family, and representatives) wish to make a complaint, they should find it easy and be supported to do so.

Complaint: Any complaint from an individual (or representative of an individual), member of the workforce or other interested party affected by the standard quality of our service, related actions, or lack of actions.

Things can go wrong even when services are well run and managed. Consequences can range from minor inconvenience to serious (or long-term) implications for an individual's life. In the context of "when things go wrong", openness and honesty are recognised as important values in the undertaking of all operational duties at Oakmont Education.

To enhance our performance as an organisation, we would like to emphasise that all staff members at Oakmont Education are welcome to communicate and share good practice ideas and opportunities for improvement with us, so that we can continue to champion choice and independence for the people we serve and value our workforce in the right way for years to come.

Aims

Oakmont School regards all complaints with utmost importance and considers them as opportunities to enhance and improve the quality of service we provide. It is important to handle any criticism of our staff or service in a professional manner, without taking it personally. This policy provides clear guidance on the process of addressing complaints within the school, in compliance with The Independent School Standards (Wales) Regulations 2003.

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
- Make sure 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 make sure we publicise the existence of this policy and make it available on the school website. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

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".

Roles and Responsibilities

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.

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.

The complaints co-ordinator

The complaints co-ordinator can be:

- The Headteacher
- Any other staff member providing administrative support.

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure.
- Make sure the process runs smoothly by liaising with staff members, the headteacher, the proprietor.

Be aware of issues relating to:

- Sharing third party information
- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person.
- Keep records.

Receiving the complaint

Those receiving the complaint will:

- show empathy and listen attentively to the complainant
- refer the complainant to a member of the Senior Leadership Team (SLT), while ensuring that all relevant information is conveyed to the investigating person.

Dealing with the complaint.

The person from SLT investigating the complaint will:

- send an acknowledgement within **three working days (term time)** of receipt of the complaint
- indicate the actions that will be taken, the responsible person and the expected time frame for completion
- ensure that the investigation is conducted thoroughly and impartially
- consult with other relevant parties as required
- maintain confidentiality
- involve other external agencies such as the Police or Social Services, where appropriate
- keep the complainant informed of the progress of the investigation and any decisions made
- handle complaints confidentially, except in cases where a pupil's safety may be at risk. In such cases, the pupil's safety will be the primary concern. Any complaint that alleges any form of abuse will be handled in accordance with the School Safeguarding Policy, which is available on request.
- provide the staff concerned with the opportunity to provide their side of the case, keep them informed of the investigation's progress and notify them of the outcome.

Determining Appropriate Action.

If the person investigating the complaint concludes that there is a case to answer, the following remedial measures may be proposed:

- Mediation and reconciliation may be provided if appropriate.
- Corrective measures to resolve general school-related complaints.
- Risk evaluation to identify possible problems and establish appropriate protective measures.

The complainant will be notified of the investigation's findings as soon as feasible. They will also be informed of whom they can contact if they are not satisfied with the results, according to the procedures outlined below.

Informal Complaints

Informal complaints are normally:

1. A verbal complaint raised with a staff member.
2. Those that can be addressed and resolved immediately.
3. Those that do not require investigation.
4. Those that do not require a formal written response.

Whilst most informal complaints will be made verbally, it does not follow that all verbal complaints raised are not formal complaints. Informal complaints may also be written; however, the main defining features are as 2, 3, and 4 above.

How to deal with an Informal complaint

A person dealing with informal complaint should:

1. Ensure that the individual's immediate needs are being met before doing anything else.
2. Try to establish if the complainant is happy for it to be dealt with as an informal complaint (i.e., it can be resolved immediately or by the person taking the complaint within a short time).
3. Explain that the complaint is appreciated.
4. Offer an explanation and if appropriate an immediate apology for the events leading up to the raising of the issue or for any mistakes which contributed to the incident.
5. Explain the action that will be taken as a result of the complaint.
6. Check that the complainant is satisfied.
7. Give the complainant a copy of this policy, if they wish to have a copy, which outlines how they can take the complaint further if they wish.
8. Record the complaint on the Complaints Form (attached).
9. Ensure the Headteacher and the Director of Education receives the form by the next working day.

The Headteacher will ensure that the complaint is entered in the School's Complaints Log.

Every assistance should be given to individuals who wish to make a complaint. If parents or carers are not satisfied with the outcome of an informal complaint, a formal complaint can be made in writing.

Formal Complaints

Formal complaints are usually those that:

- Cannot be resolved "on the spot."
- Require investigation.
- Formally written.

Whilst most formal complaints will be made in writing, it does not follow that all formal complaints will be written. Some verbal concerns will be classed as 'Formal complaints' due to the seriousness of their nature or possibly because the complainant may be unable to produce a written complaint, or the complaint is made by telephone. A staff member may need to put the complaint into writing on behalf of the complainant. In this case the staff member must confirm with the complainant that what they have written is an accurate record of the issue.

Procedure

- 1) Complaints can be made in person, by telephone or in writing, – we will ensure that:
 - the complaint is taken seriously and considered fairly.
 - the complaint is settled quickly – within **10 term time days**.

- the outcomes of the complaint are constructive.
 - the complaint is dealt with independently and impartially.
 - the person making the complaint is supported.
 - the details of the complaint are recorded truthfully.
 - the intimidation of complainants is not tolerated.
- 2) All complaints received (whether written or verbal) will be logged and reported to the Headteacher.
 - 3) Complainants (or representatives) will be consulted, and the Headteacher will investigate the complaint.
 - 4) If the Headteacher identifies internal procedural weaknesses, the workforce will be consulted, and remedial action will be taken immediately.
 - 5) If the Headteacher identifies that a member of staff is in 'breach of contract' in relation to the complaint received, disciplinary action will be taken.
 - 6) All complaints will be responded to in writing and information will be provided to the complainant on what the outcome of the complaint was.
 - 7) If the complainant is not happy with the outcomes of actions taken, support will be provided in escalating the complaint to the Welsh Assembly Government.
 - 8) If it is suspected that an internal person with authority is the cause of the complaint, concerns must be reported directly to regulatory bodies.

If a complaint cannot be resolved

If a complaint requires a different viewpoint, a director will arrange to involve a neutral party who is suitably qualified or experienced to provide their considered opinion.

If the parents or caregivers are unsatisfied with the outcome of the complaint, arrangements will be made for a hearing before a panel representing the Directors. The panel will consist of at least three individuals who were not directly involved in the matters specified in the complaint. As per The Independent School Standards (Wales) Regulations 2003, the panel will include at least one person who is not involved in the management or operation of the school.

Attendance and Documentation: Parents or caregivers may attend this hearing and may be accompanied if they wish. Written copies of all findings and recommendations generated by the panel will be distributed to the complainant and Directors.

- If the complaint is not resolved to the satisfaction of the complainant, it may be escalated to the Welsh Assembly Government.

Vexatious Complaints

This company takes seriously any comments or complaints regarding its service. However, there are occasions where the complainant may be regarded as a vexatious complainant. This situation will typically arise where a person makes several complaints of a nature which despite the company's best efforts cannot be completed due to the complainant's desire to not reach a reasonable resolution, or where the complaint seems to be intended to maliciously cause time to be wasted. Vexatious complaints may need to be directed to the arbitration service in order that the time factor required to investigate time and time again becomes less of a burden on the company, its staff and other young people.

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. This is except where 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 records management policy.

Compliments Procedure

Compliments should be acknowledged appropriately. If a verbal compliment is made, then it is usually appropriate to acknowledge verbally. If a written compliment is received then it will usually be appropriate to write back and acknowledge the fact that Oakmont Education welcomes all compliments, comments and complaints.

Compliments should be fed back to those who were responsible. This may be an individual or a team. Immediate feedback is usually best.

All compliments should be sent to Kelly Price at kelly.price@oakmontservicesgroup.co.uk so that they can be recorded on a central log

Links to other policies

[Equality, diversity and inclusion](#)

[Code of conduct](#)

[Safeguarding](#)

[GDPR](#)

[Community values](#)

[Pupil wellbeing](#)

[Staff wellbeing](#)

Monitoring

The Complaints Policy will be reviewed at least annually to ensure that it remains up-to-date and effective. The review will include a consideration of any changes in legislation or guidance, feedback from complainants, and an analysis of complaints records.

Please inform a member of staff immediately. In many cases, simple mistakes or misunderstandings can be resolved promptly.



Upon receiving your complaint, a senior member of the school's leadership team will acknowledge it within three term time working days. They will then assess the situation and decide what action needs to be taken, who will be responsible for taking that action, and when it will be taken.



If you are dissatisfied with the outcome of the SLT investigation, you have the option to contact the Director of education Kelly Price kelly.price@oakmontservicesgroup.co.uk and explain the reasons for your dissatisfaction. We will conduct a thorough review of your complaint within 10 working term time working days. However, if the complaint involves complexities and other agencies are involved, the review process may take longer, but we will ensure to keep you



If parents or carers are dissatisfied with the outcome of the investigation, they may request that Kelly Price extend it by arranging a hearing before a panel appointed by the Directors. The panel will consist of three people who have not been involved in the matters detailed in the complaint.



If you feel after taking all the above steps that something else should happen, you could contact the Welsh Assembly Government.



All complaints will be documented, including information on how they were resolved and at which stage of the process. If a panel hearing was required, this will also be noted. To ensure confidentiality, all correspondence, statements, and records will be kept confidential.

Useful Contacts

Police

Report imminent danger to the South Wales Police on 0845 330 2000 or 999 in an emergency – otherwise call 101,

Social Services

Report to the Children's Services Department

NSPCC

Contact the NSPCC for advice and guidance on 0808 800 5000 – this number is free from landline and mobile telephones, alternatively email help@nspcc.org.uk

Public Services Ombudsman

Contact the Public Services Ombudsman to raise concerns about the way in which public services are being delivered on 0300 790 0202 or follow the link to download the correct form to make a complaint in writing at <https://www.ombudsman.wales/how-to-complain/>

The Whistleblowing Charity (Protect) "Speak Up, Stop Harm"

Free and confidential advice for people who have witnessed wrongdoing in the workplace, contact Protect on 0203 117 2520 or email whistle@protect-advice.org.uk

NOTE: Under *Section 130* of the *Social Services & Well-being (Wales) Act (2014)*, health and social care professionals are required to inform the Local Authority if there is reasonable cause to suspect a child or young person is at risk of experiencing abuse, neglect or other types of harm.

Useful documents and links

Employment Rights Act (1996)

<https://www.legislation.gov.uk/ukpga/1996/18/data.pdf>

Equality Act (2010)

<https://www.legislation.gov.uk/ukpga/2010/15/data.pdf>

Mental Capacity Act (2005)

http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf

Well-being of Future Generations (Wales) Act (2015)

<http://www.legislation.gov.uk/anaw/2015/2/enacted/data.pdf>

Oakmont Education

Complaints form

Part 1: Details of Complaint

Complainant's Name	
Address	
Telephone Number	
Date of Complaint	
Method of Complaint	By Letter <input type="checkbox"/> By Telephone <input type="checkbox"/> In Person <input type="checkbox"/> Email <input type="checkbox"/>
Date of Complaint	
Written Acknowledgement Date <small>(Formal Only)</small>	
Name of young person <small>(If different to above)</small>	

Part 2: Area(s) of complaint (please tick box)

Education		School premises	
Communication		Wellbeing/Health and safety	
Staff suitability			
Other <small>(Please state)</small>			

Briefly describe the complaint

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Date Notified to Complaints Officer

(If applicable)

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Date Notified to Responsible Individual

(If applicable)

Part 3: Action taken to Investigate the Complaint

Investigation By	
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Briefly describe the investigation and outcome	
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How was the outcome of the investigation report back to the complainant?	By Letter <input type="checkbox"/> By Telephone <input type="checkbox"/> In Person <input type="checkbox"/> Email <input type="checkbox"/>
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Report back made by	
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Signature of the complainant	
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Part 4: Corrective Action

Is corrective action required	Yes <input type="checkbox"/> No <input type="checkbox"/>
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Briefly describe the corrective action required	
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Action taken by	
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Name	
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Signature	
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Position (Job Title)	
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Date	
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Comments	
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Date(s) Action Taken	
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