

## NAS Complaints Resolution Policy – QS-0010

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## 1. Complaints Policy

We take great pride in the quality of the teaching and pastoral care provided to our pupils. We are committed to providing high quality, transparent and accessible services to everyone we educate and support across our schools.

However, we recognise that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their child. Parents are encouraged to make those concerns known to school staff so that they can be addressed in partnership with the School.

**If parents have a complaint, they can expect it to be treated with care and in accordance with this Complaints Resolution Policy and the NAS Complaints Resolution Procedure (QS-0011)**, a copy of which is available on the School website and can be made available on request to the school office.

In respect of concerns and complaints raised by parents:

- We aim to resolve all complaints as quickly as possible.
- We will handle any expression of dissatisfaction with our services which calls for a response as a complaint.
- We will listen to the complaints, treat them seriously, and where appropriate, consider where we can learn from them so that we can continuously improve our service.

Parents can expect to be treated with courtesy, respect and fairness at all times. By return, we expect all parents to treat our staff with the same courtesy, respect and fairness.

## 2. Scope

This policy applies to parents of current pupils and parents of past pupils if the complaint was initially raised when the pupil was still registered at the School. Although this policy is made available to parents of prospective pupils for information, it is not available for use by them.

All references to 'parents' or 'you' means the holder(s) of parental responsibility for a pupil about whom the complaint relates and includes guardians and carers.

## 3. What is a complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the school, about a specific department or about an individual member of staff and/or any matter about which a parent is unhappy and seeks action by the School.

## 4. Safeguarding children and young people

If there are safeguarding concerns about a child, or there is a belief that a child may be at risk of serious harm, the school will act promptly in accordance with its Safeguarding Policy. Where a complaint is about the manner in which a safeguarding matter has been handled then that complaint will be addressed through this policy.

Please refer to the School's website for more information on our provision for protecting our pupils. Please refer to our Safeguarding Children Policy SO-0189.

## 5. Our standards for handling complaints

- We treat all complaints seriously.
- We can support you with any reasonable adjustments, where appropriate, to access this process.
- Any information that you give will be kept confidential (except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008, or some other legal authority, requests access to them)
- We will not normally consider anonymous complaints

- We will respond to your complaint promptly in accordance with the timescales set out in the Complaints Procedure.
- We will ensure that the complaints procedure is impartial, non-adversarial and fair to all parties involved.

## **6. How to complain to us**

We have a three-stage Complaints Procedure. A copy of this can be found on the School website and can be made available on request to the School office.

If you have a concern, please raise this directly with your child's teacher, classroom assistant/learning mentor/support worker or via the school office in the first instance. It is hoped that most concerns and complaints can be resolved informally. Where these cannot be resolved, you may raise a formal complaint under Stage 2 of the Complaints Procedure.

At each stage it will help us to resolve your complaint as quickly as possible if you can give us as much clarity and detail as possible, including the outcome you are seeking. If we do not have all the details needed to deal with the complaint, we may contact you and ask you for further information.

We may appoint external investigators at any point in the complaints process.

If you require adjustments, for example, if you have English as a second language, please inform the School office in advance so that we can consider what adjustments can be made e.g. such as help from an interpreter.

All complainants will be given the opportunity to fully complete the complaints procedure and a complaint can progress to the next stage of the procedure even if it is not viewed as "justified".

### **Complaints about staff**

Any complaint made against a member of staff will be initially dealt with by the Principal, and then by a senior member of the National Autistic Society.

Any complaint made against the Principal will be initially dealt with by a suitably skilled senior member of the NAS and / or a committee of the School Governing Group (SGG).

### **Complaints about governors**

These complaints should be made to the clerk to the governing board, who will then arrange for the complaint to be heard.

### **Complaints not covered by this procedure**

There are a variety of areas where the complaints procedure does not apply because of other separate statutory procedures being in place. The school will deal with complaints regarding these topics in line with the procedures outlined below.

Complaints about child protection matters will be handled in line with the school's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance

Complaints regarding exclusions will be dealt with in accordance with procedures outlined in the school's Suspension and Exclusion Policy.

Staff grievances and disciplinary procedures will be dealt with in line with the school's Grievance Policy. In these cases, complainants will not be informed of the outcome of any investigations; however, they will be notified that the matter is being addressed.

Complaints about the content of national curriculum should be made to the DfE. Complaints about how the school delivers the curriculum, including RE and RSHE, will be dealt with using this complaints procedure.

## **7. Records and Confidentiality**

For all complaints which get to the formal stages (Stages 2 and 3), the School will keep a written record. We will record the progress of the complaint and whether they were resolved at the formal stage or proceeded to a Complaints Panel meeting at Stage 3 and any actions taken by the School following the complaint (regardless of whether the complaint was upheld).

We process data in accordance with our Privacy Notice. When dealing with complaints, the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following information:

- date when the issue was raised
- name of parents
- name of the pupil
- description of the issue
- records of all the investigations (if appropriate)
- witness statements (if appropriate)
- name of member (s) of staff handling the issue at each stage
- copies of all correspondence on the issue (including emails and records of phone conversations)
- notes of the Complaints Panel meeting
- the Complaints Panel's written decision

This may include 'special category personal data' (as further detailed in our Privacy Notice, but potentially including information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The School will keep records of formal complaints and Complaints Panel meetings, as required by regulation. It will do so in accordance with our Privacy Notice but in most cases for a period of at least seven years after the pupil leaves the School.

Details of the number of formal complaints received by any given school from the preceding school year are available from the school office and on our website.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008, or some other legal authority, requests access to them.

## 8. Serial, vexatious, unreasonable or persistent complaints

The decision of the Complaints Panel at Stage 3 of the Complaints Procedure is final. If at any level parents attempt to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Director of Assurance and Compliance may write to the parents to inform them that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the School/NAS will not respond to any further correspondence on this issue or a closely related issue. If the parents write again on the same issue, there will be no obligation on the part of the School or NAS to respond.

In some cases, we may decide to treat a complaint as vexatious, such as

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Where we do decide to treat a complaint as vexatious, we will write to tell the parents why we believe the complaint falls in that category, what action we are taking and the duration of that action.

We will not normally limit the contact parents have with the School. However, we do not expect our staff to tolerate “unacceptable behaviour” and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. We define “unreasonable behaviour” as that which hinders our consideration of complaints because of the frequency or nature of the parents’ contact with the School, such as, if parents:

- refuse to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuse to co-operate with the complaint's investigation process
- refuse to accept that certain issues are not within the scope of this policy and the Complaints Procedure
- insists on the complaint being dealt with in ways which are incompatible with this policy and the Complaints Procedure or with good practice
- introduce trivial or irrelevant information which they expect to be taken into account and commented on
- raise large numbers of detailed but unimportant questions, and insist they are fully answered, often immediately and to their own timescales
- make unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced
- change the basis of the complaint as the investigation proceeds
- repeatedly make the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuse to accept the findings of the investigation into that complaint where the School's Complaint Procedure has been fully and properly implemented and completed including referral to the Department for Education
- seek an unrealistic outcome

- make excessive demands on School's time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- use threats, intimidation or violence
- use abusive, offensive or discriminatory language
- knowingly provide falsified information
- publish unacceptable information in a variety of social media or other public forums

Parents should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Director of Assurance and Compliance will discuss any concerns with the parents informally before applying an 'unreasonable' marking.

If the behaviour continues, the Director of Assurance and Compliance will write to the parents explaining that their behaviour is unreasonable and ask them to change it. For parents who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts. This will be regularly reviewed.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the School site.

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- The Education (Pupil Information) (England) Regulations 2005
- Equality Act 2010
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

This policy operates in conjunction with the following school policies:

- Records Management Policy
- Data Protection Policy
- Child Protection and Safeguarding Policy

- Grievance Policy
- Behaviour Policy
- Suspension and Exclusion Policy
- Whistleblowing Policy