

## **Complaints Policy & Procedure**

### **Policy Statement**

My Online Schooling is committed to providing a high quality service for our families, partners and clients. To continually improve the quality of our school, we aim to listen and respond to feedback provided by the members of our school community. This policy does not pertain to complaints brought by staff members and grievance procedures should be followed in the event of staff complaints.

The school acknowledges that concerns and complaints will be raised predominantly by parents and carers. However, there may be instances where other school stakeholders may wish to raise a concern or make a complaint in line with this policy. There are some instances, where parents and/or carers are mentioned, which also includes school partners or clients.

This policy will seek to ensure that feedback and complaints are dealt with fairly and comprehensively. We will aim to:

- Handle complaints and feedback promptly, politely, respectfully and confidentially
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Keep complainants informed of the progress of the complaints process
- Respond to complaints appropriately, with explanations and/or apologies where appropriate
- Learn from feedback and complaints and use them to improve the overall quality of the service provided by our school

An informal approach is appropriate when it can be achieved. If, however, concerns cannot be satisfactorily resolved informally, the formal complaints procedure should be followed.

My Online Schooling will log all informal and formal complaints in the internal Complaints Log.

In the first instance, parents and carers can bring their concerns, with regards to classroom events, and teaching and learning, to the class teacher. This can be escalated to the Head of Faculty, and then to Senior Leaders within the Education Team for informal review.

Safeguarding concerns should be brought to the attention of the Designated Safeguarding Leads or Deputies. Please also see our Safeguarding Policy for more information on safeguarding and child protection.

Concerns regarding other areas of the school, outwith the Education Team, should be brought to the attention of their Success Coordinator.

To support the complaints process, we will ensure we publicise the existence of this policy and make it available on the My Online Schooling website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

This policy does **not** cover complaints regarding staff grievance and staff code of conduct.

## **Guidance and Best Practice**

This document meets the requirements set out in part 7 of the schedule to the Online Education Accreditation Standards (from the Department for Education), which states that schools should have and make available a written procedure to deal with complaints from parents of pupils at the school.

## **Definitions**

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”*. Most issues raised by parents and pupils are concerns rather than complaints. The Executive Leadership and the Senior Education Team are committed to resolving such concerns swiftly and effectively without recourse to the formal procedures outlined below.

A **complaint** is defined as *“an expression of dissatisfaction however made, about actions taken or a lack of action”*

## **Roles and Responsibilities**

Please see the roles and responsibilities of each party, potentially involved in a complaint, at the end of this document.

## Principles for Investigating a Complaint

When the school is investigating a complaint, we will aim to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

## Time Scales

The complaint must be raised by the complainant **within three months** of the incident. If the complaint pertains to a series of related incidents, the complainant must raise their complaint within three months of the last incident.

The school may consider exceptions to this timeframe in circumstances where there are valid reasons for not raising the complaint at the time, and the complaint can still be investigated in a fair manner for all involved.

For complaints directly involved with Education, where complaints are made outside of term time, we will consider them to have been received on the next school day.

If the school are unable to meet the time scales set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new target date and explain the delay

## Stages of the Complaint Process

### 1. Stage 1: Informal concern

My Online School takes concerns and complaints seriously. We will ensure to make every effort to resolve the matter quickly. It may be that providing clarification on a particular issue, or providing additional information will resolve the issue at hand.

The complainant should raise the concern as soon as possible with our school team, liaising with this policy for guidance. As mentioned above, in the first instance, parents and carers can bring their concerns, with regards to classroom events, and teaching and learning, to the class teacher. This can be escalated to the Head of Faculty, and then to Senior Leaders within the Education Team for informal review.

Parents should raise any other concerns with their Success Coordinator in the first instance.

The school will acknowledge the informal concern within **two** working days. The school will usually provide an informed response within **ten** working days. Individuals with the appropriate level of authority, in the relevant area of the school, will carry out this process.

Most informal concerns will be satisfactorily resolved at this stage. If the complainant is not satisfied with the outcome of Stage 1, there will be an opportunity, within the process, to consider a move to Stage 2.

For all complaints (stage 2 and 3), complainants will be required to complete a complaints form, which will be sent to the relevant senior leader, with the Executive Headteacher also sent a copy of the complaint.

## **2. Stage 2: Formal Complaint**

A formal complaint can be raised by the complainant via our complaints form, which can be requested from the school. The complainant will usually be offered the complaints form if they express the desire to move to Stage 2 of this process. In the event that the complainant does not have electronic access to our complaints form, they should write directly to the school providing details such as dates, times, the names of relevant parties, refer to any relevant documentation, and express what they feel would resolve the complaint. Written complaints will be logged in the same way as electronic complaints.

If the complainant requires assistance in raising a complaint, they should contact the school.

The school will acknowledge the formal complaint within **two** working days. The school will usually provide an informed response within **fifteen** working days. A manager or senior leader, in the relevant area of the school, will carry out this process. An investigation will be arranged and the final determination on the complaint will be made by the designated manager or senior leader. In many cases, the written response will set out the actions that have been taken in relation to the issues identified.

Members of the investigating team may request to speak with the complainant via telephone or video conference for more information. The cooperation of the complainant is requested and appreciated to ensure the timely resolution of the complaint.

The aim is to resolve the complaint as quickly, and as satisfactorily, as possible. If the complainant is dissatisfied with the outcome of Stage 2, the complainant will be required to inform the school, within **five** working days, by contacting the Executive Headteacher. The request to move to Stage 3 (Appeals Panel) will be sent to the relevant teams. The Executive Headteacher will confirm, in writing, the decision on whether to convene the Appeals Panel within **ten** working days of receiving notification to move to Stage 3.

The school's complaints log will be updated to reflect this.

### **3. Stage 3: Appeals Panel**

The Appeals Panel will convene to consider any complaints that have reached Stage 3 of this process. The panel will be led by the three senior leaders who have not previously been directly involved in the handling of the complaint.

The aim of the panel is to impartially resolve the complaint and to achieve reconciliation between My Online Schooling and the complainant.

The panel will usually hear the Stage 3 complaint within **fifteen** working days of its receipt.

The complainant may be accompanied to this meeting and should inform the identity of their companion in advance.

The panel should record their findings and recommendations, share these with the complainant, and store them such that they can be available for inspection at a later date.

The panel can:

- A. dismiss the complaint in whole or in part
- B. uphold the complaint in whole or in part
- C. decide on the appropriate action to be taken to resolve the complaint
- D. recommend changes to the school's systems or procedures

All parties should be notified of the panel's decision, in writing, within **three** working days of the panel hearing.

The school's complaints log will be updated to reflect this.

The Appeals Panel hearing in the last stage in the complaints process.

## **Unreasonably Persistent Complaints**

My Online Schooling respects that most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- has made the same complaint before, and it has already been resolved by following the school's complaints procedure
- makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- knowingly provides false information
- insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- changes the basis of the complaint as the investigation goes on makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

In the event of the above occurring, the school will take reasonable steps to address the complainant's concerns and will provide a clear statement of the school's position, and the options available to the complainant.

If the complainant continues to contact My Online Schooling in a disruptive way, we may put the following strategies in place:

- give the complainant a single point of contact via an email address
- limit the number of times the complainant can make contact, such as a fixed number per term
- ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- put any other strategy in place as necessary

We may stop responding to a complainant when all of these factors are met:

- we believe we have taken all reasonable steps to help address their concerns
- we have provided a clear statement of our position and their options
- the complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of intimidation, aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring communications with My Online Schooling personnel.

### **Duplicate Complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will inform the new complainant that we have already investigated and responded to this issue, and the local process is complete.

If there are new aspects, we will follow this procedure again.

### **Complaint Campaigns**

Where the school receives a large number of complaints about the same topic or subject, especially if these come from complainants unconnected to the school, we may respond to these complaints by:

- Publishing a single response on our website
- Sending a template response to all of the complainants

If the complainants are not satisfied with the response from My Online Schooling, or wish to pursue their complaint further, the normal procedures will apply.

### **Record Keeping**

My Online Schooling maintains a record of the progress of all concerns and complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. Records will also include copies of letters, emails, and notes relating to meetings and phone calls.

Records will be treated as confidential and will only be viewed by those involved in investigating the complaint or on the Appeals Panel. The data must also be

made available in the event of school inspection. The exception to this is where the Secretary of State or a body conducting a quality assurance visit under the online education accreditation scheme requests access to them.

Under the General Data Protection Regulations (EU) 2016/679 (GDPR), data must not be kept longer than is necessary.

Complainants may have a right to copies of these records under the [Freedom of Information Act 2000](#), the [Data Protection Act 2018](#) and GDPR.

### **Parental Responsibility**

Conflict between estranged parents over the application of parental responsibility is a common cause of complaints made to schools.

[Understanding and dealing with issues relating to parental responsibility](#) contains specific advice about how to approach issues concerning parental responsibility.

### **Learning from Concerns and Complaints**

The school's Senior Leadership Team will review any underlying issues raised through concerns and complaints to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **Policy Monitoring**

The school's Senior Leadership Team will monitor the effectiveness of this policy to ensure concerns and complaints are handled properly. From the records held, the school will be able to determine the number and nature of the concerns and complaints raised.

This policy will be reviewed every two years, or earlier if required.



# Appendix 1

## Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- cooperate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality (please also see our Social Media policy)

### Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant, as appropriate, to clarify what the complainant feels would put things right

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond

- prepare a comprehensive report for the relevant manager or senior leaders, or Appeals Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems

### **Appeals Panel Chairperson**

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Appeals Panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted

## Appeals Panel Member

Appeals Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The Appeals Panel should **respect the views of the child/young person** and give them **equal consideration** to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

**END OF POLICY**

**Version 3 - Updated August 2022**