

TRACKS-Education Policy for
TRACKS (PRU) School, Education in Hospital 1 (Airedale), Education in Hospital 2
(BRI)
And
Home Tuition
(delete as appropriate)

Complaints Policy

Owner	Hannah Whittaker
Approval	September 2017
Prepared by	Hannah Whittaker Head of School
Next Review	September 2020
Signed by Sally Birkbeck MC Chair	-----

STATEMENT

Throughout this Pact HR policy reference is made to Governors and Governing bodies. TRACKS-Education is run by a group of Governors who form a Management Committee.

In this policy the Governing Body refers to the TRACKS-Education Management Committee and the Governors are the members of the Management Committee

This policy encompasses the strategies and procedures in three schools 'TRACKS (PRU) School', 'Education in Hospital 1 (Airedale)' and 'Education in Hospital 2 (BRI)'. Unless an action, procedure or strategy is linked to a specifically named school all elements of this policy will apply to all settings known collectively as TRACKS-Education.

This policy and procedure is available on request to children and young people, the parents/guardians of children and young people and prospective children and young people of TRACKS Education. Whilst children and young people may, themselves, raise concerns and complaints under this policy and procedure, TRACKS Education will involve parents/guardians should this occur. Copies are available from:

Head of School
TRACKS Education
21 Owlet Road
Shipley
BD18 2LU

A copy of our complaints procedure is also available from the TRACKS main office located at Reception.

Complaints Policy

This policy and procedure is for the benefit of children and young people, and parents/guardians of children and young people, at TRACKS Education. This policy and procedure will be relied upon in respect of complaints by parents/guardians and children and young

people made against TRACKS Education except in respect of;

- (a) **Child protection**, where a separate policy and procedure applies;
- (b) **Exclusions**, where a separate policy and procedure applies;
- (c) **Appeals relating to internal assessment decisions for external qualifications**, where a separate procedure applies

TRACKS Education expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a student, must be given verbally or in writing to the Head of School will be dealt with under this Complaints Policy.

Every complaint shall receive fair and proper consideration and a timely response. We will do all we can to resolve any concern and to ensure that parents/guardians are happy with the education that their child receives at TRACKS Education.

Parents/guardians can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Complaints Procedure

Our Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial; • be non-adversarial;
 - allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
 - address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Provide information to TRACKS Education so that services can be improved.

TRACKS Education will be clear about the difference between a concern and a complaint. Concerns will be treated seriously at the earliest stage to reduce the numbers that develop into complaints.

Stage One – Informal Resolution

Most concerns will be dealt with informally and parents/guardians are encouraged to make contact with the person concerned. The formal procedures set out below will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The underlying principle is that most complaints and concerns will be resolved quickly and informally.

If parents/guardians have a complaint they should normally contact the member of staff concerned immediately after the alleged incident has occurred.

If a complaint is against the Head of School this should be put in writing to the Chair of the Management Committee. In many cases, the matter will be resolved straightaway by these means to the parents'/carers' satisfaction. If the member of staff cannot resolve the matter alone, it may be necessary for him/her to consult with colleagues.

Complaints made directly to Head of School will usually be referred to the relevant member of staff, unless the Head of School deems it appropriate for him/her to deal with the matter personally.

Most complaints are resolved satisfactorily at this stage and are brought to a close. In the case of serious complaints or where a complaint has not been brought to a satisfactory conclusion or if a complaint concerns a member of staff, the complaint moves on to stage 2.

Stage Two -Formal Resolution

If the complaint cannot be resolved on an informal basis, then parents/guardians should put their complaint in writing to the Head of School within 14 days of the incident occurring, preferably via the official complaints form (**see Annex A**). Parents/guardians should also identify how they wish their complaint to be resolved.

The Head of School will delegate responsibility for undertaking investigation of the complaint to a member of staff unless he/she deems it appropriate for him/her to deal with the matter personally.

The Head of School will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head of School will meet or speak with the parents/guardians concerned to discuss the matter. If possible, a resolution will be reached at this stage.

The Head of School will use reasonable endeavours to speak to or meet parents/guardians within ten working days of the formal complaint being received, except where the complaint is received in the school holidays, or within two working days of their commencement where the Head of School will use his/her reasonable endeavours to speak or meet with parents/guardians as soon as possible after the commencement of the new term (usually within ten working days).

It may be necessary for a member of staff to carry out further investigations.

The Head of School will keep a written record of all meetings and interviews held in relation to the complaint.

Once the Head of School is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/guardians will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten working days after speaking or meeting with parents/guardians to discuss the matter. The Head of School may also arrange to meet with parents/guardians to explain the decision.

TRACKS Education will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and TRACKS Education's decision, which record will be kept for one year after the pupil leaves TRACKS Education.

This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.

Where parents/guardians are dissatisfied with the outcome of TRACKS Education's response to their formal complaint, the parents/guardians have the opportunity to have their complaint considered by an independent Complaints Panel.

Stage Three – Panel Hearing

If parents/guardians seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Head of school's decision in respect of their formal complaint, the parents/guardians may, in writing addressed to the Clerk of the Management Committee, request that their complaint be further considered by an independent Complaints Panel set up for this purpose.

This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.

Parents/guardians must lodge their appeal in writing within ten working days of the date of TRACKS Education's decision made in accordance with the Stage Two Procedure. The parents/guardians should provide a list of their complaint(s) made against TRACKS Education and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

Where an appeal is received by TRACKS Education, TRACKS Education will, within five working days, refer the matter to the Clerk of the Management Committee who will act as Clerk to the Complaints Panel. Where the appeal is received by TRACKS Education during the school holidays, or within two working days of their commencement, TRACKS Education has five working days upon commencement of the school term to refer the matter to the Clerk.

The Clerk provides an independent source of advice on procedure for all parties.

On receipt of an appeal the Clerk will acknowledge the appeal in writing within five working days, and inform the parents/guardians of the steps involved in this Complaints Procedure.

The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty school days after receipt by TRACKS Education of parents'/guardians' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.

The independent Complaints Panel will consist of two members of the Management Committee on the Board who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education (DfE).

The following are entitled to attend a hearing, submit written representations and address the

Panel:

- (a) The parent(s)/guardian(s) (or, if aged over 18, the young person) and/or one representative;
- (b) The Head of school and/or one representative;
- (c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Legal representation will not normally be appropriate.

Where the Complaints Panel deems it necessary, it may request that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- (a) Documents in support of the complaint(s),
- (b) Chronology and key dates relating to the complaint(s)
- (c) Written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents/guardians.

Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five working days in advance of the Panel hearing.

It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents'/guardians' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

After due consideration of all the facts considered relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the College will need the appropriate approval from the relevant authorities e.g. the Management Committee and Bradford Council, although any such approval must be compatible with the decision of the Complaints Panel.

The Panel's findings will be sent by the Clerk in writing to the parents/guardians, the Head of School, the Management Committee, Bradford Council, and where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

The College will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for one year after the pupil leaves TRACKS Education.

TRACKS Education Complaint Form

(Annex A)

Please complete and return to Head of School who will acknowledge receipt and explain what action will be taken

Your Name:

Child / Young person's Name:

Your Relationship to the Child / Young Person:

Address:

Post Code:

Day Time Telephone Number:

Evening Telephone Number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

Your Name:

Child / Young person's Name:

Your Relationship to the Child / Young Person:

Address:

Post Code:

Day Time Telephone Number:

Evening Telephone Number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:.....
Date:.....

Official use
Date acknowledgement sent:
By Who:

Complaint referred to:
Date:

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:.....

Date:.....

Official use

Date acknowledgement sent:

By Who:

Complaint referred to:

Date: