



# Policy for the management of concerns, complaints and appeals

**(R.E.A.L. Education)**

Amended on: **03/08/2017**  
Review Date: **05/09/2020**



## **Revision history:**

03/09/2019 Amendments made to include New Apprenticeships

01/06/2018: - Amendments made to the section relating to the monitoring of the complaints log, and added references to take into account an appeals process

03/08/2017: - Revisions made to reflect R.E.A.L Education from the original policy written for the Independent School

19/10/2016: - No amendments to policy.

01/03/2014: - No amendments to policy.

01/03/2012: - Policy written for R.E.A.L. Independent Schools.



## Principles

It is the aim of R.E.A.L Education is to provide an outstanding education, and a high quality alternative provision in the East Midlands for all our learners. The senior managers, learning managers and teaching staff work hard to build positive relationships with all students, parents, carers, employers and commissioners. We are nonetheless obliged to have procedures in place in case where there may be complaints by learners, parents, commissioners, employers or other members of the public. The following policy sets out the procedures that we follow in such cases.

If there are any complaints regarding the education any learner is receiving, or have any concerns relating to the school, or employer we encourage, in the first instance to talk with their learning manager, immediately either face to face or over the phone.

## Aims

R.E.A.L. Education aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue, mutual understanding and in some cases investigations. In all cases we put the interests of the learner above all else. We provide sufficient opportunity for any complaint to be fully discussed and then resolved. All written complaints (stage 2) will be followed with a report outlining all actions undertaken and any recommendations to be made.

## The difference between a concern, complaint and appeal

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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. An appeal is defined as a 'application to a higher court for a decision to be reversed'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. R.E.A.L Education will take all informal concerns seriously and will make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns as a formal complaint, or make an appeal for a reversal of a decision e.g. where there is a disagreement regarding an internal or external grading for an individuals' work. In those cases, the following procedure should be invoked.



## The complaints procedure

If a parent, learner, employer or commissioner is concerned about anything to do with the education provided by R.E.A.L Education, they should, in the first instance, discuss the matter with the student's tutor or learning manager. In our experience most matters of concern can be resolved positively in this way. Our tutors and learning managers ensure that each learner is happy and is making good progress. They naturally want to know if there is a problem so that they can take action before it seriously affects their progress.

Where the complainant feels that a situation has not been resolved through contact with the tutor, or Learning Manager, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the learning manager, or an appropriate senior manager. This is known as a stage 1 complaint. These complaints can be made either face to face, over the telephone, or in writing (e.g. via an email). It is important to ask the complainant at this stage what they think might resolve the issue.

An appeal can also be made using the staged processes outlined below.

### Stage 1

A meeting with the learning manager and/or an appropriate senior manager to talk through and take consideration of any complaint. The learning manager and/or senior manager will take all complaints very seriously and most complaints can be resolved at this stage. All resolutions will be agreed and made in writing, along with any further recommendations or agreed actions.

If after stage 1 the parent, learner, employer or commissioner are not satisfied, the complaint can be made in writing, stating the nature of the complaint and how R.E.A.L Education has handled it so far. If a learner is on a nominated roll with another school, they would be informed, and take part in the resolution. The complaint would now be processed through formal protocols known as stage 2.

### Stage 2



Further information will need to be gathered at stage 2 and this may include investigations and interviews with members of staff, or any other individuals who may be involved. This stage may also invoke other procedures such as disciplinary procedures, or the whistleblowing procedure. It may also be that the relevant Local Authority are informed and may/may not participate in the procedures from this point.

Following any investigation a full report will be available to all involved outlining any findings and further recommendations. Where a multi-agency network surrounds the child and the family, this report will be shared with the relevant professionals (with consent).

If the complainant remains unsatisfied with the way the complaint has been handled at this point, a stage 3 process will be invoked.

### Stage 3

The stage 3 process involves conducting a panel to finally resolve issues. The panel will consist of individuals from R.E.A.L Education, or other areas of the group of organisations such as the governing bodies of the R.E.A.L Independent School, R.E.A.L Alternative Provision School, or the R.E.A.L Foundation Trust. Members of the panel must not have any connection to the complaint in any way.

All information, and particulars in relation to the actions thus far, including any paperwork or notes recorded will be made available to the panel no later than 5 working days prior to the panel meeting.

The complainant may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the panel will resolve the complaint immediately without the need for any further investigation.

Where further investigation is required, the panel will decide how this will be carried out. After due consideration of all facts, the panel will reach a decision and may make recommendations, which it shall complete within 5 working days of the panel meeting. The panel will write to the complainant informing them of the decision and the reasons for it. The panel's findings and, if any, recommendations will be made in writing.



The decision of the panel will be final but if the complainant is still not satisfied, they can complain directly to the Secretary of State, who will look into whether the school handled the complaint properly.

In the case of serious misconduct complaints will be referred immediately to the police.

Should any parents have a complaint about the Operations Manager, Vocational Group Manager, or other relevant senior leaders at R.E.A.L Education, they should first request an informal meeting with him/her if appropriate, or with one of the Directors if not. However, if the complaint is very serious, a formal complaint, as outlined above should be made.

Written records of complaints are kept and a log indicates whether they were resolved at the preliminary stage or proceed to a panel hearing.

All correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act, as amended, requests access to them.

## **Timeliness**

Complaints need to be considered and resolved as quickly, and efficiently as possible:

- Reasonable time limits for each action within each stage will be set (where further investigations are necessary, new time limits will be agreed, the complainant will be sent the details of any new deadlines and will be given an explanation any delay)
- R.E.A.L Education does not consider excessive time limits to be reasonable or acceptable, except in extenuating circumstances
- Complaints tend to be made as soon as possible after an incident arises (although three months is generally considered to be an acceptable time frame in which to lodge a complaint)





## Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the exceptions listed below, for which there are separate (statutory) procedures

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School reorganisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Concerns should be raised directly with local authorities (LA).            For school admissions, it will depend on who is the admission authority (either the school or the LA).            Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>	<p>Further information about raising concerns about exclusion can be found at:  <a href="http://www.gov.uk/schooldiscipline-exclusions/exclusions">www.gov.uk/schooldiscipline-exclusions/exclusions</a>.</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>R.E.A.L Education have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD..</p>
<ul style="list-style-type: none"> <li>• Staff grievances and disciplinary procedures</li> </ul>	<p>These matters will invoke the R.E.A.L Education internal grievance procedures. Complainants will not be informed of the outcome of any investigation</p>



- Complaints about the services` provided by other providers who may use school premises or facilities.

Providers should have their own complaints procedure to deal with complaints about service. They should be contacted directly

## Monitoring and review

R.E.A.L Education monitors the complaints procedure in order to ensure that all complaints are handled properly. Complaints are recorded via a log and shared with the Headteachers of both independent schools and the Directors of R.E.A.L Education, the log also records how complaints have been resolved. The log is reviewed on an annual basis and helps to inform CPD and training needs of staff.

This policy is made available to all students, parents or carers so that they can be properly informed about the complaints process.

## Further information Useful Resources and External Organisations

- National Governors Association
- Information Commissioner's Office Other Relevant Departmental Advice and Statutory Guidance • Section 29 of the Education Act 2002
- Governors Handbook
- Understanding and Dealing with Issues Relating to Parental Responsibility

**This policy has been written in conjunction with:**

- DfE Best Practice Advice for School Complaints Procedures 2016
- Section 29, Education Act 2002