

# Complaints Procedure

## Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to [Be Free Forest School](#) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.



## The difference between a concern and a complaint

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 defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

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 use the formal stages of the complaints procedure. [Be Free Forest School](#) takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, [Jude Vinton](#), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [Jude Vinton](#) will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [Be Free Forest School](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or director. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the director) should be made in the first instance, to [Jude Vinton \(the director\)](#) via the website. Please mark them as Private and Confidential.

Complaints that involve or are about the director should be addressed to [Nicola Monk](#) (senior management team), via the website. Please give subject line Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the website. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the director will determine whether the complaint warrants an investigation.

## Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by [Be Free Forest School](#), other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">&lt;insert local authority details&gt;</a>
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <a href="#">LADO for Herts : 03001234043</a>

<ul style="list-style-type: none"> <li>• Exclusion of children from BFFS *</li> </ul>	<p><i>Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against [Be Free Forest School](#) in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Resolving complaints

At each stage in the procedure, [Be Free Forest School](#) wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint

- an apology.

## Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Formal complaints must be made to the director (unless they are about the director), via the website. This may be done in person, in an email, or by telephone.

The director will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 working days.

Within this response, the director will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The director can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The director may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the director (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the director will provide a formal written response within 7 working days of the date of receipt of the complaint.

If the director is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions [Be Free Forest School](#) will take to resolve the complaint.

The director will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the director, a suitably skilled member of staff will be appointed to complete all the actions at Stage 1.

Complaints about the director or member of the governing body must be made to the Clerk, via the website.

If the complaint is:

- jointly about the Director and senior management team
- the majority of the staff

Stage 1 will be considered by an independent investigator appointed by Consensus HR (Helen.watson@consensushr.com). At the conclusion of their investigation, the independent investigator will provide a formal written response.

## Complaint Form

Please complete and return to [befreeforestschool@hotmail.com](mailto:befreeforestschool@hotmail.com) who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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:**

# 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
- co-operate 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.

## 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 and the complaints co-ordinator 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 director or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The director or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

**Complaints Co-ordinator** (this could be the director / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, director, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.