

**COMPLAINTS POLICY AND PROCEDURE
INDEPENDENT SCHOOLS**

1. AIM

- 1.1. Cygnet is committed to providing an: accessible, fair, and effective means of communicating any complaints regarding Cygnet's services. Our schools aim to meet statutory obligations when responding to complaints from parents of pupils at the school, and others.
- 1.2. For Cygnet this provides a valuable tool for improving our services.
- 1.3. It is the personal responsibility of every individual referring to this policy and procedure to ensure that they are viewing the latest version; this will always be published on Cygnet's online policy library, 'myPolicy'.

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2. INTRODUCTION

- 2.1. Our priority is putting individuals at the heart of all we do in the delivery of safe, high quality services. We therefore recognise the unique context of our independent schools and the contribution they make to the overall care provided by Cygnet Hospitals.
- 2.2. We recognise that in order to do this, we need to be able to listen to, and act on the feedback we receive from parents of pupils at the school, and those who have contact with our services in other ways.
- 2.3. Only by listening can we learn, improve and make a positive difference to the lives of the individuals we work with, their loved ones and all those who work with us.
- 2.4. We spoke with people who use our services, experts by experience, families, carers and staff about what they would want our approach to complaints to look like.
- 2.5. This is what they told us:
- I want to see a **positive culture** around complaints handling. What this looks like is:
 - Staff are trained in how to manage my feedback, concerns or complaints so I feel confident to make a complaint, and trust it would be handled well. Staff are trained to understand the power imbalance between people who use services and staff within services. I want to feel empowered and encouraged to speak up about my concerns.
 - I want to **feel listened to** when I have given my feedback. What this looks like is:
 - Staff will respond to my feedback in a timely manner. They will keep me informed of what they are doing. If there is something that can be resolved quickly, they will do this. Staff to give feedback to me following a complaint, whether the complaint is upheld or not. Following a complaint, staff will meet with me to discuss issues I raised.
 - I want staff to **be honest** with me. What this looks like is:
 - Staff are honest with me and will not make promises they will not fulfil. Staff will manage my expectations and to explain the next steps. If they cannot meet their timescales, they will tell me why. They will give me the new expected response date and stick to it. They will seek my consent if a complaint is made on my behalf.
 - I want staff to **capture my views**. What this looks like is:
 - I can raise a concern or complaint in a way that I am comfortable with and able to. I will be supported to voice my concerns and given assistance to do this if needed. I want staff to record my views as I see them, and understand my diverse needs. Staff to communicate with me in a way I choose.
 - I want staff to **learn from my experience**. What this looks like is:
 - Where appropriate, my experience is shared with staff in services so that they can learn from it. Any lessons learnt from complaints are cascaded to senior management and implemented to avoid a repeat of similar

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mistakes. Learning is embedded into the way staff work going forward.

The impact of my experience on my family and loved ones is considered.

- 2.6. We have the opportunity to make their vision a reality. This policy and procedure will support our staff to achieve this with people who use and who have contact with our services and independent schools.

3. OUR APPROACH TO COMPLAINTS

- 3.1. The following key principles underpin our approach to complaints:

- We will apologise when something goes wrong
- We will engage and involve the person making a complaint, ensuring we understand their views and wishes before we commence any investigation
- We will resolve issues raised quickly, where possible
- We will ensure we clarify with the person raising a complaint what action we will take
- We will respond in a timely way and within agreed timescales where possible
- We will be compassionate, clear and courteous in our responses
- We will keep people informed at every step of the process
- We will seek feedback on our handling of the complaint
- We will share our findings and learning from feedback with our services and externally, when appropriate.

4. DEFINITIONS

- 4.1. With consideration to standardised definitions of a complaint and incorporating Department for Education (DfE) guidance, we have defined:

A concern as

- An expression of worry or doubt over an issue considered to be important for which reassurances are sought.

A complaint as:

An expression of dissatisfaction, either spoken or written, that requires a response. It can be about:

- An act, omission or decision we have made.
- The standard of service we have provided.

5. SCOPE

- 5.1. The school intends to resolve complaints informally where possible, at the earliest possible stage.
- 5.2. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.
- 5.3. This policy does not cover complaints procedures relating to:
- Admissions – these would be directed to the home local authority
 - Statutory assessments of special educational needs (SEN) - these would be directed to the home local authority
 - Safeguarding matters – **Safeguarding in schools**.
 - Permanent exclusion* - Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions
 - *complaints about the application of the behaviour policy can be made through the school's complaints procedure

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- Whistle-blowing – **Raising Concerns freedom to speak up.**
- Staff grievances – **Grievances policy.**
- Staff discipline - **Disciplinary policy.**
- Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned. This includes complaints about Cygnet Hospitals (**Complaints Policy and Procedure – Healthcare**).

6. PRINCIPLES FOR INVESTIGATION

- 6.1. When investigating a complaint, we will try to clarify:
- What has happened.
 - Who was involved.
 - What the complainant feels would put things right.

7. TIME SCALES

- 7.1. The complainant must raise the complaint within 6 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 6 months of the last incident.
- 7.2. We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.
- 7.3. When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.
- 7.4. If at any point we cannot meet the timescales we have set out in this policy, we will:
- Agree new time limits with the complainant
 - Send the complainant details of the new deadline and explain the delay.

8. COMPLAINTS PROCEDURE

Stage 1: Informal

- 8.1. Informal complaints should be taken up directly with the appropriate member of staff, either verbally or in writing, who will clarify the nature of the concern or complaint and reassure them that the school will hear the concern or complaint and attempt to resolve it at the earliest stage.
- 8.2. Where the concern relates to the actions of the Head Teacher, the complainant should contact the Head of Education.
- 8.3. At the conclusion of any review the complainant will be provided an informal written response within 10 school days of the date of receipt of the complaint.
- 8.4. If the issue remains unresolved, the next step is to make a formal complaint within 10 school days of the conclusion of Stage 1.

Stage 2: Formal

- 8.5. Formal complaints must be made to the Head Teacher (unless they are about the Head Teacher), who's contact information can be obtained from the school website. This must be done either in writing, over the phone, in person or through a third party acting on their behalf.

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- 8.6. The Head Teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.
- 8.7. The Head Teacher may delegate the investigation to another member of Cygnet schools leadership team but not the decision to be taken.
- 8.8. At the conclusion of their investigation, the Head Teacher will provide a formal written response within 20 school days of the date of receipt of the complaint.
- 8.9. Where the concern relates to the actions of the Head Teacher, the complainant should contact the Head of Education who will complete all actions at Stage 2.
- 8.10. Any complaints about the Head of Education or above, must be made to the Corporate Complaints and Compliments Manager for Cygnet.
- 8.11. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should do so in writing within 10 school days of receipt of the Stage 2 response.

Stage 3: Panel Hearing

- 8.12. Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response at the second, formal, stage. Requests to proceed to a panel hearing are made to the Head of Education.
- 8.13. The Head of Education will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.
- 8.14. The panel will comprise three people not directly involved in the matters detailed in the complaint. At least one member of the panel will be independent of the running and management of the school. The member should not only be outside the school's workforce, and not be a member of governing body/proprietary body, but also should not be otherwise involved with the management of the school.
- 8.15. The Head of Education will write to the complainant to inform them of the date of the meeting. They will aim to organise a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the Head of Education will provide an anticipated date and keep the complainant informed.
- 8.16. The complainant may attend the panel hearing and be accompanied if they so choose, for example, by a relative or a friend. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union and/or legal representation. All parties must be advised prior to the meeting if legal or formal representation is anticipated.
- 8.17. The panel will hear the complaint and the outcome of the school's investigation and response. The panel will then make findings and recommendations which will be communicated in writing within 20 school days of the conclusion of the hearing, to the Proprietor, Head of Education, the Head Teacher, the complainant and, where appropriate, the person complained about. A copy of

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these findings and recommendations will be kept on the school premises and made available for inspection by the Head Teacher, the Proprietor and senior leaders.

9. DEPARTMENT FOR EDUCATION REFERRALS

- 9.1. On completion of the school's complaints procedure if the complainant is unsatisfied with the outcome, they can refer their complaint to the Department for Education. The complaint should be regarding the school not meeting standards set by the Department for Education in any of the following areas:
- Education
 - Pupil welfare and health and safety
 - School premises
 - Staff suitability
 - Making information available to parents
 - The spiritual, moral, social or cultural development of pupils.
- 9.2. The Department for Education will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.
- 9.3. For more information or to refer a complaint, see the following webpage:
<https://www.gov.uk/complain-about-school>

10. RECORD KEEPING, LEARNING LESSONS AND MONITORING ARRANGEMENTS

- 10.1. A written record of all complaints and their resolution, whether they proceeded to a panel hearing or not, will be kept on the school premises and made available for inspection by the Head Teacher and Proprietor on request. The school will record the progress of the complaint and the final outcome. These records and any correspondence relating to a complaint will remain confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to the records.
- 10.2. The Head of Education will review any underlying issues raised by complaints with the Head Teacher, where appropriate, and respecting confidentiality, 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.
- 10.3. The Head of Education will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Head of Education and corporate complaints manager will track the number and nature of complaints, and review underlying issues as stated above.
- 10.4. The complaints records are logged and managed by Head Teacher at the respective school. This policy will be reviewed by the Head of Education and corporate complaints manager every 3 years. At each review, the policy will be approved by the chair of the proprietary board.

11. COMPLAINTS INVOLVING MULTIPLE ORGANISATIONS

- 11.1. If we receive a complaint that involves other organisation(s) (including cases that cover health and social care issues) we will make sure that we investigate in collaboration with those organisations. The people handling the complaint for

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each organisation will agree who will be the 'lead organisation' responsible for overseeing and coordinating consideration of the complaint.

- 11.2. The person investigating the complaint for the lead organisation will be responsible for making sure the person who raised the complaint is kept involved and updated throughout. They will also make sure that the individual receives a single, joint response.
- 11.3. If we are required to share or request information about an individual from another organisation for the purposes of investigating a complaint, we must gain consent from the individual involved before making contact with others.

12. FEEDBACK

- 12.1. Cygnet welcomes feedback, suggestions and complimentary remarks.
- 12.2. Cygnet currently uses ePRIME as a system to capture complaints and compliments.
- 12.3. Other forms of feedback should be captured in a way the school chooses and shared appropriately.

Compliments

- 12.4. Any positive feedback should be shared with staff at an appropriate setting and recorded on ePRIME.
- 12.5. Compliments will be shared at local governance meetings and also provide useful evidence for regulators. For this reason, it is important that compliments are recorded clearly, in the words used by the person giving the compliment, and any correspondence associated is to be uploaded to ePRIME.
- 12.6. Compliments given between Cygnet staff should be captured meaningfully in a way the service chooses, but should avoid being recorded on ePRIME unless the compliment demonstrates exceptional practice and/or has been given by staff external to the Cygnet site.

Cygnet's web page contact site

- 12.7. Feedback can be left at:
 - Our 'Contact Us' form: <https://www.cygnetgroup.com/contact/>
 - Our concerns and complaints page on the green button, 'Submit a Concern or Complaint': <https://www.cygnetgroup.com/service-users-carers/information-for-family-carers/feedback/>.
- 12.8. Complaints or compliments left through these forms are sent directly to a central mailbox: Cygnet Health Care Feedback feedback@cygnethealth.co.uk. This is monitored by the complaints team and information received is shared directly with schools.
- 12.9. The complaints team will assess information received to this mailbox and share with the most appropriate service or department.
- 12.10. When a complaint is received via Cygnet Health Care Feedback, the complaints team will advise the Head Teacher. The Head Teacher should assess the information given, ensure the complaints process is followed and where

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necessary, other processes implemented. For example, if the information contains any risk information or safeguarding concerns.

13. ANNEX

- 13.1. This policy applies to all Cygnet Independent Schools.
- 13.2. This policy applies to all staff within Cygnet Independent Schools.
- 13.3. It is the agreed policy and any deviation by staff from following this policy and supporting procedures and documents may be subject to disciplinary procedures.

14. LEGISLATION

- 14.1. This document meets the requirements set out in part 7 of the schedule to **the Education (Independent School Standards) Regulations 2014**, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.
- 14.2. This document is based on guidance published by the Education and Skills Funding Agency (ESFA) on **creating a complaints procedure that complies with the above regulations**, and refers to **good practice guidance on setting up complaints procedures** from the Department for Education (DfE).

15. REGULATORS AND GOVERNING BODIES

- 15.1. **Department For Education (DfE)** Piccadilly Gate, Store Street, Manchester, M1 2WD Tel: 0370 000 2288 www.gov.uk/government/organisations/department-for-education
- 15.2. **Ofsted** T: 0300 123 1231, Textphone: 0161 618 8524 Email: enquiries@ofsted.gov.uk website: www.gov.uk/ofsted

16. STANDARD FORMS, LETTERS AND REFERENCES

This Policy

- 16.1. Complaints policy and procedure – Independent schools (6-01.00c)
- 16.2. Complaint letter templates with guidance (6-01.02.2)
- 16.3. Complaints made by Third Party – Consent Form(6-01.03.1)
- 16.4. Formal complaints process independent school guide (6-01.05.2)
- 16.5. Investigation report - stage 2 Independent schools (6-01.06.6)
- 16.6. Panel hearing record - stage 3 Independent schools (6-01.06.7)
- 16.7. Feedback, suggestions and compliments book (6-01.07.2)
- 16.8. Procedure for managing unreasonable complaints conduct (6-01.09)
- 16.9. Complaints handling feedback survey Independent Schools (6-01.10.4)
- 16.10. Complaints handling feedback survey independent schools (6-01.10.4)
- 16.11. Feedback poster - Independent schools (6-01.11.1)
- 16.12. Making a complaint leaflet Easy Read - Independent schools (6-01.14.1)
- 16.13. Giving a compliment leaflet Easy Read Independent schools (6-01.14.2)
- 16.14. Giving a compliment poster Easy Read - Independent schools (6-01.14.3)

Linked policies

- 16.15. Complaints policy and procedure Health care (6-01.00.a)
- 16.16. Safeguarding Children and Young People (4-16)

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- 16.17. Safeguarding in Schools (4-17)
- 16.18. Mental Health Act Administration (England and Wales) policy (MHA01)
- 16.19. Mental Capacity and Advance Decisions policy (5-01a)
- 16.20. Data Protection Confidentiality & Access to Information and Confidentiality (IG 02)
- 16.21. Disciplinary Policy (HR 15)
- 16.22. Grievance Policy (HR 16)
- 16.23. Raising Concerns: freedom to speak up Policy (HR 03)
- 16.24. Incident Reporting and Management Policy (4-14)

Accountability, roles and responsibilities

16.25. The roles and responsibilities of staff within our organisation, when dealing with complaints, are set out below:

Role	Responsibility
Teaching Staff	Managing and escalating informal complaints and attempting to resolve it at the earliest stage. Escalating where required. Maintaining records appropriately and in line with legislative requirements.
Head Teacher	Managing and responding to complaints up to Stage 2 in line with this policy. Escalating where required. Maintaining records appropriately and in line with legislative requirements.
Head Of Education	Managing and responding to complaints at Stage 3, or any complaints about the Head Teacher, in line with this policy. Escalating where required. Maintaining records appropriately and in line with legislative requirements.
Corporate Complaints and Compliments Manager	Oversight and monitoring of complaints and compliance with complaints policy within independent schools. Managing any complaints about the Head of Education, alongside the Proprietor. Supporting there sharing of learning from complaints corporately.
Proprietor	Ensure that Cygnet schools are meeting the independent school standards in regards complaints. Make decisions in regards any complaints about the Head of Education, alongside the Corporate Complaints and Compliments Manager.