

Policy / Procedure Cover Sheet

Policy/Procedure	Complaints Policy and Procedure		
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Change History

Version	Description	Date issued	Reason	Approved by
1.0	Policy	18/07/2024	New Policy	ZJ

Related Policies:

Policy Ref No.	Policy Name	Policy Ref No.	Policy Name
OP/03	Anti-bullying and Harassment	OP/14	Equal Opportunities
OP/06	Behaviour for Learning	OP/19	Exclusion
S/01	Child Protection and Safeguarding	HS/01	Health and Safety
OP/10	Curriculum	HS/05	Managing Drugs
OP/15	Educational Visits	OP/45	Staff Behaviour (Code of Conduct)
S/02	E-Safety		
OP/13	Equality and Diversity		

Distribution:

Electronic copy - Website / C:/Company Policies and Procedures/
 Hard copies – Company Policy File / Staff Training Portfolio

Dealing with Complaints Policy and Guidance

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Appendices

- i. Appendix 1 Complaint Form

This policy should be read in conjunction with the following policies:

- i. Anti-bullying policy
- ii. Behaviour for Learning Policy
- iii. Child Protection and Safeguarding
- iv. Curriculum Policy
- v. Educational Visits Policy
- vi. E-Safety Policy
- vii. Equality and Diversity Policy
- viii. Equal Opportunities Policy
- ix. Exclusion Policy
- x. Health and Safety Policy
- xi. Managing Drugs policy
- xii. Staff Behaviour Policy (Code of Conduct)

Complaints Policy and Procedure

1. Introduction

- 1.1 Watermelon Independent Schools is committed to providing the best possible education and support for all its students. This means having a clear, fair, and efficient procedure for dealing with any complaints to, or against, the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.
- 1.2 All school staff/volunteers will be made aware of our complaints procedure and are expected to review this policy regularly so that they are familiar with our complaints procedure and can effectively assist when an issue is brought to their attention.
- 1.3 This policy explains the complaints procedure, the sections of which should be referred to and followed by all students and their parents/carers whenever an issue of concern arises.
- 1.4 If there is an allegation or concern about physical or sexual misconduct towards a student, or there is a belief that a student may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.
- 1.5 For more information on our school's provision for protecting our students, read our **Child Protection and Safeguarding Policy**.

2. The difference between a concern and a complaint.

- 2.1 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*'.

- 2.2 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally and without the need to invoke formal procedures. The school will take informal concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 2.3 There are occasions when complainants would like to raise their concerns formally. In such cases the school's formal procedure should be invoked through the stages outlined within this procedure.

3. Principles informing our complaints procedure

- 3.1 This procedure is designed to:
- i. be simple and easy to understand
 - ii. be well publicised and easily accessible
 - iii. be impartial
 - iv. allow prompt handling with clear time limits for action; keeping
 - v. people informed of the progress
 - vi. allow a mediation process if agreed by the complainant
 - vii. allow for a hearing by a panel, where appropriate
 - viii. address all points of the complaint
 - ix. provide an effective response and appropriate redress where necessary
 - x. provide information to the school's Senior Leadership Team enabling services to be improved.

4. Complaints procedure

Stage 1 – Informal Stage- when an issue or concern first arises

- 4.1 When parents¹ and carers have concerns they should initially discuss their concerns with the member of staff most directly involved and, if not satisfied, discuss their concerns with a senior member of staff. The complainant will then be invited to an informal meeting with the member of staff most appropriate for dealing with their concern. Concerns can be raised in writing, by email or via telephone.
- 4.2 We encourage parents and carers to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.
- 4.3 A written explanation of the concern will need to be provided to the staff member involved, so that the initial problem can easily be understood if the complaint is taken further or referred back to in time.
- 4.4 **If the complaint concerns a member of staff/volunteer:** the complaint should be raised with the headteacher in the first instant, either in person or in writing. A meeting can be arranged with the headteacher for further discussion of the issue.
- 4.5 We shall in all cases investigate the matter fairly and appropriately with relevant members of staff. We shall do so as quickly as possible without compromising the outcome. If the matter is not resolved within 10 working days, or in the event that the school or the parents/carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed to stage 2 (formal resolution).
- 4.6 **If the complaint concerns the headteacher:** a written complaint should be addressed to the chair of the

¹ 'Parent' includes a person who has parental responsibility or who has care of a child – see section 576 of the Education Act 1996.

local advisory board (LAB). Should the complaint be deemed to not necessitate the board's review, the local advisory board may refer complaints back to the appropriate member of staff.

Initial Informal Meeting

- 4.7 Once a concern has been raised, the complainant(s) may be invited to attend an informal meeting with a member of staff, or the headteacher, to discuss his/her concern(s.)
- 4.8 Staff have a responsibility to ensure that the complainant understands any future points of action that have been agreed upon in this meeting and should record the key item of discussion, outcomes and any agreed plan of action.
- 4.9 We expect the majority of concerns to be resolved in this informal manner and not formally registered.
- 4.10 Financial compensation will not be paid by the school as the result of a complaint.

Stage 2: Formal Resolution

- 4.11 If a complaint cannot be resolved on an informal basis, then the parent/carer should put their complaint in writing to the headteacher within 15 days of the conclusion of the initial informal meeting. There may be occasions where the seriousness of the concern (which may include significant safeguarding matters) necessitates that parents/carers choose to make a direct formal complaint to the headteacher. In all cases, it should be made clear that it is a formal complaint and the COMPLAINTS FORM should accompany any letter or email.
- 4.12 The headteacher should provide a written receipt of the complaint within 5 school days and will decide, after considering the complaint, the appropriate course of action to take.
- 4.13 In most cases, the headteacher will meet with parents/carers to discuss the issue, outcome and possible solutions or explain further steps that are being taken as a result of the complaint. This will be within 10 working days of receipt of the written complaint. If possible, a resolution will be reached at this stage. It may be necessary for the headteacher to carry out further investigation. In this case, once he or she is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of the decision and reasons underpinning it, normally within 20 working days of the receipt of the complaint.
- 4.14 Complainants should be encouraged to state the appropriate actions they consider should be taken to resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
- 4.15 **If the complaint concerns a member of staff/volunteer**, the headteacher will discuss the complaint with the individual. If it is an allegation of abuse, a formal investigation may be instigated by the School or external child welfare authorities to whom the school reports.
- 4.16 **Complaints about the headteacher / executive headteacher should be reported to the local advisory board.** The chair of the LAB will call for a full report from the headteacher and for any relevant documents. The chair of the LAB may also call for a briefing from members of staff and will, in most cases, speak to or meet with the parents/carers to discuss the matter further. This will be within 10 working days from the receipt of the written complaint. Once the chair of the LAB is satisfied, so far as is practicable, all of the relevant facts have been established, the parents/carers will be informed of the decision in writing with

reasons for their decision.

- 4.17 The headteacher / chair of the LAB (as applicable) will keep a record of all interactions with the complainant and other staff in addition to meetings and decisions made in reference to the complaint.
- 4.18 At each stage in the procedure, the school will be mindful of the ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or complaint is valid in whole or part. Moreover, it may be appropriate to offer one or more of the following:
- i. an apology
 - ii. an explanation
 - iii. an admission that the situation could have been handled differently or better
 - iv. an assurance that steps will be taken to ensure the event will not recur
 - v. an explanation of the steps that have been taken to ensure that it will not happen again
 - vi. an undertaking to review school policies in light of the complaint.
- 4.19 *Only when all these avenues have been tried, and found unsatisfactory, should a complaint be escalated to a panel hearing.*

Stage 3: Panel Hearing

- 4.20 If, having spoken to the headteacher, the complainant remains dissatisfied with the outcome of their complaint, a written complaint may be lodged with the chair of the LAB, who will inform the proprietor of Special Educational Services Ltd. The matter will then be referred to a complaints panel (THE PANEL) for consideration.
- 4.21 Complaints may be sent via email to the chair of the LAB at xxxx@xxxxx.com or via letter to the school address. If the latter, the envelope should be marked 'FOR IMMEDIATE ATTENTION PRIVATE AND CONFIDENTIAL- CHAIR OF THE LOCAL ADVISORY BOARD' and staff in the school office must ensure that the letter is forwarded to the Chair of the LAB immediately.
- 4.22 The parent/carers should state the outcome their desire and all of the grounds of the complaint. The complainant will be asked to complete a complaint form (Appendix 1) if they have not already done so. The matter will then be referred to a complaints panel for consideration. The panel will not normally accept any new areas of complaint which have not been previously raised during stages 1 and 2.
- 4.23 If the complaint concerns a member of staff/volunteer, that employee will be given the opportunity to provide a written response that will be sent to the local advisory board within 10 school days of the complaint being lodged with them.
- 4.24 A Stage 3 complaint will be acknowledged within 5 working days and all parties will be kept informed about the arrangements for the convening of the panel.
- 4.25 The chair of the LAB will decide whether the complaint should be referred to the Complaints Panel or whether a mediation stage should be offered.
- 4.26 Mediation can only proceed if the complainant and the headteacher are both willing to undertake this course of action. Should mediation be unsuccessful, the complaint will be considered by the Complaints Panel.

Mediation

4.27 Mediation can be an effective means by which to resolve a complaint:

- i. it provides both the complainant and the headteacher with an opportunity to understand each other's viewpoint (with a third party facilitating)
- ii. it gives the third party an opportunity to help the headteacher and complainant identify and build on areas of agreement
- iii. it provides the headteacher and the complainant with a structure via which remaining differences can be resolved
- iv. the mediation process provides a suitable foundation for a continuing positive relationship once the headteacher and the complainant are satisfied with the outcome.

4.28 Mediation may result in one or more of the responses below from either party:

- i. an acknowledgement that the complaint is valid in whole or in part
- ii. an apology
- iii. an explanation
- iv. an admission that the situation could have been managed differently or more suitably
- v. an assurance that the event will not recur
- vi. an explanation of the steps which have been taken to ensure that it will not happen again
- vii. an undertaking to review school policies in light of the complaint.

4.29 The Complaints Panel will be made up of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school (including its parent/carer and teaching bodies). They will be nominated by the chair of the LAB. The clerk to the LAB, on behalf of the panel, will acknowledge the complaint and schedule a hearing to place as soon as practicable, and normally within 20 working days of the parent/carers request for a panel hearing. No member can sit on the panel if they have had any former knowledge or involvement in the case that is being dealt with at that time.

4.30 If the panel deems it necessary, it may require that further details of the complaint or any related matter be supplied in advance of the meeting. Copies of such details should be supplied to all parties no later than 3 working days prior to the hearing. The headteacher will not discuss the case within the panel beforehand.

4.31 The parent/carer and headteacher may attend the hearing and be accompanied by a companion. This may be a relative, teacher or friend. Legal representation will not be permitted. All will meet with the panel at the same time and the procedure will be run by the chair of panel.

4.32 Professionals sitting on a Complaints Panel must ensure that:

- i. the appeal hearing is independent, transparent and impartial
- ii. the core objective of the hearing is to resolve the complaint
- iii. the proceedings are welcoming and as informal as possible; the complainant should be made to feel comfortable presenting to the panel.

4.33 Format of a Panel Hearing

The procedure is as follows:

- i. the complainant (and companion) and headteacher (and companion) will enter the hearing together. Legal representation will not be permitted
- ii. the chair will introduce the panel members and outline the process
- iii. the complainant will explain the complaint
- iv. the headteacher may question the complainant
- v. the panel will question the complainant
- vi. the headteacher will explain the school's actions
- vii. the complainant may question the headteacher
- viii. the panel will question the headteacher
- ix. the complainant is invited to summarise their complaint
- x. the headteacher will summarise the school's actions
- xi. the chair will explain that both parties will hear from the panel within 5 working days
- xii. both parties will leave the hearing together whilst a decision is being made by the panel
- xiii. the clerk will stay with the panel to clarify any points raised.

4.34 The hearing should be made as supportive as possible to all parties.

4.35 The panel may ask questions at any point; questions may be probing but must maintain impartiality.

4.36 In order to remain impartial, the headteacher must have no contact with members of the complaints panel except when the complainant is present.

4.37 Introduction of fresh information at the hearing should be discouraged and evidence should be presented in advance to allow full consideration by all parties.

4.38 Should the chair accept new, and relevant, evidence, the hearing will be adjourned for a few minutes to allow all parties time to read and process the new evidence. Both parties must leave the hearing during the adjournment.

4.39 If possible, the panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out. The hearing may be adjourned for this purpose. On completion of the hearing the panel will consider all of the facts they consider relevant. They will then make findings and may make recommendations.

4.40 Remit of the panel – the Complaints Panel can:

- i. dismiss the complaint in whole or part
- ii. uphold the complaint in whole or part
- iii. decide upon the appropriate action to be taken to resolve the complaint
- iv. evaluate all available evidence and recommend changes to the school's systems or procedures as preventative steps against similar problems arising in the future.

4.41 The Complaints Panel may:

- i. consider and criticise the way in which an operational decision was communicated, but cannot overturn the decision itself
- ii. consider the manner in which the headteacher investigated a complaint about a member of staff, but cannot expect the headteacher to provide details about confidential discussions with the staff member

- iii. consider the manner in which a complaint about any decision was addressed
- iv. consider, and identify, limitations in a policy or procedure, and recommend that the policy be reviewed by the governing body, but *cannot make or improve policy*.

4.42 The complaints panel cannot:

- i. make any financial award
- ii. impose sanctions on staff, students or parents, although they may recommend these actions to the headteacher and/ or the SAB. T

4.43 Exceptional Circumstances

To ensure clarity, the description above does not cover exceptional circumstances which might include:

- i. an insufficient number of independent professionals to sit on a panel. In such a case, the chair of the LAB will put an alternative fair process in place
- ii. the complaint concerns the Chair of the LAB. In such a circumstance, the above procedure would be adapted, and external support identified.
- iii. any stage in this complaints procedure may be bypassed if agreed by both the headteacher, complainant or Chair of the LAB.

4.44 Outcome of the hearing

Following the end of the hearing, the clerk will ensure that the panel's decision regarding each of the issues is clearly communicated to all parties via a letter. This will be sent within 7 working days of the end of the hearing and will explain the reasons for the decision(s) made by the panel.

The decision of the panel will be final. A copy of the panel's findings and any recommendations will be sent by electronic mail or otherwise given to the parents/carers, and, where relevant, any person who may be the subject of the complaint, as well as the chair of the SAB and the headteacher.

5 Recording complaints

5.1 Following the resolution of a complaint, the school will keep a written record which will include:

- (a) the nature of the complaint and
- (b) whether it was resolved at one of the first two stages of this procedure or if it proceeded to a panel hearing, and
- (c) any action taken by the School as a result of the complaint.

5.2 Normally the record will contain the following information:

- i. Date when the issue was raised.
- ii. Name of parent/carers
- iii. Name of student
- iv. Description of the issue
- v. Records of the investigation (if appropriate)
- vi. Witness statements (if appropriate)
- vii. Name of member(s) of staff handling the issue at each stage.
- viii. Copies of all correspondence on the issue (including emails and records of phone conversations)
- ix. Action(s) taken by the School as a result of the complaint.

5.3 This record is kept securely in the school office, and will only be made available, as and when required,

to the Secretary of State or an inspection body, in line with the school's obligations under the Education and Skills Act 2008.

6 Data Protection

- 6.1 Correspondence, statements and records relating to individual complaints are normally kept for three years after the resolution of the complaint and will be kept confidential except when the school is required to disclose information by:
- i. The Secretary of State for Education under paragraph (k) of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2010
 - ii. Other legal authority.

Any panel findings and recommendations would also be available for appropriate inspection on the school premises.

7 Monitoring complaints

- 7.1 Watermelon Independent Schools will review and evaluate all complaints irrespective of how far they are taken, or the outcomes, to ensure that similar problems are avoided in the future or to examine whether or not they could have been managed more effectively.

- 7.2 The Panel's decision is final and a copy will be provided to the complainant, and where relevant, the person complained about. Complainants unhappy with the outcome may wish to put their complaint to the Secretary of State.

- 7.3 Complaints received:

In 2025-2026, there were 0 complaints .

APPENDIX 1

Please complete and return to the Head who will acknowledge receipt and explain what action will be taken.

Your name:	
Student's name:	
Your relationship to the student:	
Address:	
Postcode:	
Daytime 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?	