

# Complaints Resolution Policy NAS Schools and Children's Services Policy– QS-0010

<b>Reference Number</b>	QS-0010
<b>Version Number</b>	V1.4
<b>Date of Issue</b>	30 May 2019
<b>Latest Revision</b>	4 May 2021
<b>Distribution</b>	All employees
<b>Owner</b>	Nominated Individual
<b>Policy Lead(s)</b>	Principals
<b>Date ratified by board</b>	7 <sup>th</sup> December 2020

## EQUALITY STATEMENT

We will regularly review our policies to ensure that we are

- promoting equality of opportunity
- eliminating discrimination and harassment
- valuing diversity and promoting positive relationships
- providing an inclusive education which enables all pupils to develop their full potential
- meeting the requirements of the Equality Act 2010 and the protected characteristics therein.

## QUALITY OF LIFE FRAMEWORK

All NAS schools and Children's services follow our Quality of life (QoL) Framework. In implementing this framework, we listen to pupils, parents and the child's keyworker to understand what is important to them in relation to their quality of life. We then work as a transdisciplinary team to ensure we plan each child's education carefully and cohesively, shaping each pupil's provision around their EHCP and agreed developmental goals in order to develop pupils' knowledge and skills now and for the future.

## Complaints Resolution Policy

The National Autistic Society is committed to providing high quality, transparent and accessible services to everyone we educate and support across our schools and children's services. To do this we need you to tell us when we do things well and when we get things wrong.

- We want to help resolve all complaints as quickly as possible.
- We will handle any expression of dissatisfaction with our services which calls for a response as a complaint.
- We will listen to your complaints, treat them seriously, and learn from them so that we can continuously improve our service

You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.

## Purpose of the document

To outline the NAS Education Directorate's policy for NAS and NASAT schools' approach to handling complaints from parents and carers.

## Scope

This policy applies to parents and carers of a pupil educated in a NAS School or a child or young person supported in a children's service.

Where applicable, in the case of our residential provision it also applies to commissioning authorities where they are responsible for the care of a child in our care.

## What is a complaint?

A complaint is any matter about which one of the above is unhappy and seeks action by the school.

Our policy covers complaints about:

- The wellbeing of a young person currently educated or supported by the NAS or in the admissions process.
- The standard of service you or your child should receive from us.
- The conduct of our staff in delivering that service.
- Any action, or lack of action, by our staff or others engaged on NAS business.

Note that any dissatisfaction arising from the proper application of a NAS policy falls outside the scope of this complaints policy.

## How to complain

If you have a concern about an NAS service, school or team, the easiest way to get your concern resolved will be to raise it directly with your child's teacher, classroom assistant/learning mentor/support worker or via the school office.

In children's services please raise your concerns with your child's keyworker or any member of staff on duty.

There are a variety of ways that parents/ carers can make complaints:

- Telephone to your school or children's service
- In writing to your school or children's service
- Email: [yourview@nas.org.uk](mailto:yourview@nas.org.uk)
- Website: [www.autism.org.uk](http://www.autism.org.uk)
- Writing to:  
Lesley Andrews  
Director of Assurance & Compliance  
The National Autistic Society  
393 City Road  
London  
EC1V 1NG

Formal complaints should usually be put in writing. Where this is not possible arrangements will be made to listen and record your complaint.

Please also see Complaints resolution procedure

## Safeguarding children and young people:

If there is a concern about safeguarding a child, or there is a belief that a child may be at risk of serious harm, the school / children's service will immediately refer the case to child protection and welfare services. If there is a safeguarding concern, we will investigate this under our Safeguarding Policy and not through this complaints policy. Where a complaint is about the manner in which a safeguarding matter has been handled then that complaint will be addressed through this policy.

Please refer to the school's website for more information on our school's provision for protecting our pupils. Please refer to our Safeguarding Children Policy SO-0189.

## Our standards for handling complaints

- We treat all complaints seriously.
- We can receive complaints by telephone, letter, email or in person. We can also support you with any reasonable adjustments to access this process.

- You may wish to have a third-party act on your behalf. You will be required to give written consent. A third party is any person or organisation helping or supporting you.
- You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.
- Except in exceptional circumstances, every attempt will be made to ensure that information given will be kept confidential. However, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality or to do so would prevent investigating the complaint. Should this be the case, the situation will be explained to the complainant. (Exceptions also include where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them) in line with our charity's Confidentiality policies (Data Protection SC-0001 and Record Retention SC-0002).
- If you wish to remain anonymous we will support this, but we may not be able to update you on the outcome of your complaint or offer you the opportunity to feedback. Remaining anonymous may make it harder to find out detail related to the complaint.
- We will respond to your complaint within 25 days, with the caveat that this may be extended if it is a complex investigation. In such cases we would update periodically throughout.
- We will not treat anyone more favourably than anyone else because of your:
  - sex
  - legal marital or same-sex partnership status: this includes family status, responsibility for dependents, and gender (including gender reassignment, whether proposed, commenced or completed)
  - sexual orientation
  - colour or race: this includes ethnic or national origin or nationality
  - disability
  - religious or political beliefs, or trade union affiliation
  - any other unjustifiable factors, for example language difficulties, age, pregnancy and maternity / paternity
- Investigations will be cross referenced with other parties, where relevant, when external organisations are implicated in the concern raised.

## **Roles and responsibilities**

The complainant is responsible for:

- Cooperating with the school in seeking a solution to the complaint.
- Expressing the complaint and their concerns in full at the earliest opportunity.
- Promptly responding to any requests for information and meetings.
- Asking for assistance as needed.
- Treating any person(s) involved in the complaint with respect.

The investigator (stage 2) is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and clarifying an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

All complaints panel members (stage 3) will be aware that:

- The review panel hearing is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the trust and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
  - Dismiss or uphold the complaint, in whole or in part.
  - Decide on appropriate action to be taken.
  - Recommend changes that the trust can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.

- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the trust the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

The clerk to the governors will :

- Act as contact point for the complainant and the committee
- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

## Evaluation

A senior manager will have of all formal complaints and will review this policy at least annually, but sooner as the need arises.

## References

DFE Jan 2021 Best practice guidance for school complaints procedures 2020 & DFE model complaints procedure  
The Independent School Standards Guidance for independent schools April 2019  
The Education (Independent School Standards) Regulations 2014.