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## **Complaints Policy**

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## Sporting Chance Newport CIC **Complaints Policy**

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<b>Policy Owner:</b>	Directors
<b>Queries to be directed to:</b>	Directors
<b>Signed:</b>	
<b>Dated:</b>	29/09/2020

This policy will be reviewed on a biannual basis. Sporting Chance Newport CIC reserves the right to amend this policy, following consultation, where appropriate.

<b>Date created:</b>	September 2020
<b>Date of last review:</b>	N/A
<b>Date of next review:</b>	September 2022

## Sporting Chance Newport CIC **Complaints Policy**

### **1. Summary**

This policy sets out the procedure of making a complaint for parents and carers of students at Sporting Chance Newport CIC School. The procedure explains the process and detail made at:

- **Stage 1** – Informal Resolution
- **Stage 2** – Formal Resolution
- **Stage 3** – Panel Hearing
- Complaints against Sporting Chance Newport CIC

The policy reflects the requirements set out in the

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

### **2. Who is the policy for?**

The purpose of the procedure

- The aim of this procedure is to achieve a fair, effective and as rapid as possible resolution of parental concerns about the education and/or welfare of individual children in the care of Sporting Chance Newport CIC school.
- The expression 'parents' is used for those having parental responsibility for the child.
- These procedures apply to all parents of students and to prospective parents of the school. A copy of this procedure is available on the school's website and can also be obtained on request from the school office or the directors.

### **3. Who is this policy for?**

All parents and guardians and prospective parents and carers of pupils at Sporting Chance Newport CIC school.

### **4. Policy statement**

#### **Complaints Concerning the School**

Sporting Chance Newport CIC school welcomes suggestions and comments from parents and carers, and takes seriously concerns or complaints which may arise, as they can help us to improve the educational experience that we provide.

#### **Key Contacts**

**School Address:** Sporting Chance Newport CIC, Unit 2, Usk Way, Newport. NP20 2HZ.

**School Telephone:** 01633 453038

**The Directors:** Paul Parry – [p.parry@asportingchance.org.uk](mailto:p.parry@asportingchance.org.uk)

**Complaints:** Complaints Officer: [complaints@asportingchance.org.uk](mailto:complaints@asportingchance.org.uk)

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### **Timing**

Effective and fair resolution of concerns usually requires that they are brought to the School's attention promptly, which should normally be within three months of the relevant event(s).

Complaints may be heard after this time if the Directors and/or Complaints Officer of Complaints Panel considers that the delay has not prejudiced an effective and fair resolution.

### **Professional Judgment**

Where the judgment of a member of Sporting Chance Newport CIC staff is subject to complaint, the Directors and Complaints officer/Complaints Panel will determine whether judgment was exercised fairly and reasonably according to Sporting Chance Newport CIC standards. There may be more than one fair and reasonable response to a situation. The Directors and Complaints Officer or Complaints Panel will not normally substitute their decision for that of the staff concerned. Accordingly, where a complaint is upheld, the Directors and Complaints Officer/Complaints Panel will usually make recommendations to be acted upon by Sporting Chance Newport CIC school.

### **Legal Proceedings**

Where legal proceedings exist between Sporting Chance Newport CIC and the parents/pupil, this procedure may be subject to the constraints of the legal process.

### **Record Keeping**

A written record of all complaints (which may include notes, correspondence and statements) will be kept at each stage of the procedure, as detailed below, and will include details of whether individual complaints were resolved following a formal or informal procedure or proceed to a panel hearing. The record will include details of any action taken by the school as a result, regardless of whether they are upheld.

The written record of complaints will be reviewed regularly by the Directors and by the School Leadership Team. Records relating to individual complaints will be kept confidential except where the National Assembly or body conducting an inspection under section 163 of the 2002 act requests access to any document relating to the complaint. The number of complaints recorded under the formal procedure during the preceding school year is available to parents of students (and prospective students) of request.

### **Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint, they should normally contact their lead staff member as appropriate. In many cases the matter will be resolved straightaway by this means to the parents' satisfaction. If the lead tutor cannot resolve the matter alone, it may be necessary for him/her to consult with other staff within the school.

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- The lead tutor will make a written record of all complaints and the date on which they were received, and any action taken by the school as a result. Should the matter not be resolved within 10 school days or in the event that the member of staff and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complain in accordance with Stage 2 of this procedure.

### **Stage 2 – Formal Resolution**

#### **Part A**

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Directors as soon as possible. The Directors (or their representative if they are not in school) will investigate the complaint. The Directors will respond to the parents within 10 school days.

- The Directors will keep written records of all meetings and interviews held in relation to the complaint
- The school will also keep a written record of complaints, any action taken by the school as a result and whether they were resolved at the informal or formal stage or proceeded to a panel hearing.
- Once the Directors are satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made, and parents informed of this decision in writing. The Directors will also give reasons for their decision.
- Complaints about the Directors should be made directly to the Complaints Officer (see part B below).

#### **Part B**

- If parents are not satisfied with the Directors response, the parents should write within 10 days of the Directors response to the Complaints Officer at: [complaints@asportingchance.org.uk](mailto:complaints@asportingchance.org.uk)
- The complaint should clearly identify the main issue(s) of concern and, if possible, indicate the nature of the resolution they are seeking.
- If the complaint is about the Directors, the parents should write directly to the Complaints Officer at the email address above. The complaint should clearly identify the main issue(s) of concern, and if possible, indicate the nature of the resolution that they are seeking.
- The Complaints Officer will investigate the matter and will respond to the parents within 15 school days of receiving the complaint. Written records will be kept of all complaints received, the steps taken to investigate the complaint and any action taken as a result. In particularly complex cases, the Complaints Officer will advise parents of any extra time needed to investigate properly.

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- If a complaint is made directly to the Complaints Officer before a formal complaint has been made to the Directors, the Complaints Officer may refer the matter to the Directors for resolution.
- If parents are still not satisfied with the decision, parents are able to proceed to Stage 3 of this procedure for those matters which are within the responsibilities of the school. Where the complaint is against the decision of an external agency or third party, such as an examination board or higher education institution, parents will be advised on the appropriate route for their complaint and, where possible, given information and advice about progressing their concerns.

### **Stage 3 – Panel Hearing**

- If parents wish to have their complaint considered at a Panel Hearing, they should write to the Complaints Officer of Sporting Chance Newport CIC at the email address above, setting out their complaint.
- If a request for a Complaints Panel is made without the matter having previously been investigated by the Complaints Officer, then the matter will be referred for investigation under Stage 2 of this procedure.
- In the interests of resolving the complaint expeditiously, complaints should focus on the main issues. It is helpful if the complaint is able to indicate the nature of the outcome which they are seeking as a means of resolving their complaint.
- The Complaints Officer will then form a Complaints Panel. The Panel will consist 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.
- The nominated Clerk of the Panel will deal with administrative issues prior to the hearing. The Clerk will not provide legal advice to the Panel on any substantive matters. The Clerk's role at the hearing will be limited to advice on the procedure.
- A hearing will be scheduled to take place as soon as practical and normally within 25 school days of receipt of the parents' letter. If, despite the best efforts of Sporting Chance Newport CIC personnel, a hearing cannot be arranged within this time frame, the Clerk of the Panel will write to the parents before the expiry of the 25-day period setting out the likely timeframe for the hearing. The hearing will normally be held at Sporting Chance Newport CIC school, but in cases where it is not reasonable to ask parents and staff to travel, efforts will be made to hold the hearing at a suitable venue for all.
- The parents should supply copies of their previous written complaint to the Directors and Complaints Officer and any other documentation they may wish to rely on to the Clerk for circulation to the Panel and Directors not more than 7 days after the date of notification of the hearing. Documentation must be relevant to those matters set out in the complaint.

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- The parents will be supplied with copies of any statements and supporting/background documentation provided by the Directors to the Panel not less than 10 school days before the hearing.
- The Panel may refuse to consider matters of which written notice has been given if doing so appears to them likely to be prejudicial to a fair and effective consideration of the complaint.
- If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to the Clerk of the Panel not less than 5 school days prior to the hearing, for circulation to all parties.
- The parents 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.
- Conduct of the hearing shall be at the Panel's discretion which will be exercised in the interests of a fair, effective, and appropriately rapid resolution of the complaint. The Clerk of the Panel, will normally write to parents before the hearing, having considered the nature of the complaint and the documentary material, to state how the hearing will be conducted. Prior to the hearing, decisions relating to the procedure may be dealt with by the Clerk of the Panel acting alone. Should the parents have any questions concerning the Panel's procedure, they should address them to the Clerk of the Panel at the above address.
- After due consideration of all relevant facts, the Panel will reach a decision and may make recommendations.
- The Panel will write to the parents normally within 5 working days informing them of its decision and the reasons for it. The Panel's findings, and (if any) recommendations will also be sent in writing to the Directors, the Complaints Officer and where relevant, the person(s) against whom the complaint was made.
- The findings and recommendations referred to may be sent by electronic mail or otherwise given to the complainant and, where relevant, the person(s) complained about.
- A copy of the findings and recommendations will be available for inspection on the school premises by The School Leadership Team and the Directors.
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential except where disclosure is required in the course of the school's inspection or where any other legal obligation prevails.

### **Mediation**

At any stage of the process it may be helpful to consider mediation, or a facilitated discussion by an experienced mediator, as a way to address any particularly difficult or sensitive issues as constructively as possible.

## 5. Policy requirements

Sporting Chance Newport CIC Directors and staff will ensure that this complete procedure is followed, with particular attention to the deadlines of communication set out.

### Appendix 1: Equality Impact Assessment

Sporting Chance Newport CIC is committed to always: avoiding the potential for unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a protected characteristic and those who do not; and, foster good relations between people who share a protected characteristic and those who do not.

An Equality Impact Assessment (EIA) is a tool for identifying whether or not strategies, projects, services, guidance, practices or policies have an adverse or positive impact on a particular group of people or equality group. While currently only public bodies are legally required to complete EIA's, Sporting Chance Newport CIC has adopted the process in line with its commitment to continually improve equality performance.

#### 1. Summary

<b>This EIA is for:</b>	Complaints Policy
<b>This EIA is for:</b>	Paul Parry - Director
<b>Date of assessment:</b>	27/09/2020
<b>Assessment approved by:</b>	

#### Objectives and intended outcomes

This EIA has been completed in order to ensure that the implications and potential impact, positive and negative, of the Sporting Chance Newport CIC Complaints Policy for all staff have been fully considered and addressed, whether or not staff members share a protected characteristic.

#### 2. Potential Impacts, positive and negative

Equality Area	Positive	Neutral	Negative	Summary
Age		X		The policy applies equally to all members of staff regardless of age. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their age.



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Equality Area	Positive	Neutral	Negative	Summary
Disability		X		The policy applies equally to all members of staff regardless of health/disability. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their disability.
Pregnancy & Maternity/Paternity		X		It is not considered that the policy positively or negatively impacts on pregnant women or on staff on maternity or paternity leave.
Race (incl. origin, colour and nationality)		X		The policy applies to all members of staff regardless of their race, origin, colour or nationality. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively in these respects.
Gender and Gender Re-assignment		X		This policy applies equally to all members of staff regardless of their gender at any given time. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of gender.
Sexual Orientation		X		This policy applies equally to all members of staff regardless of their sexual orientation. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their sexual orientation.

### 3. Negative impacts and mitigations

Negative Impact	Mitigation	Owner
None		



[www.asportingchance.org.uk](http://www.asportingchance.org.uk)

