Luccombe Hub This document forms part of the policy handbook and is intended for use at Luccombe Hub	
Title:	Complaints Policy
Subject Area:	Centre Administration
Applies:	Immediately
Reviewed/Issued:	1st October 2022
Next Review:	1st October 2025
Sponsor:	Henri Monier-Williams in conjunction with SLT
Contact:	Henri Monier-Williams
Email:	Office@LuccombeHub.com

1. Introduction

1.1 Aims

The aim of this policy is to provide information about The Luccombe Hub's complaints procedure. This complaints procedure is not limited to parents or carers of children/YP that attend The Centre. Any person, including members of the public, may make a complaint to The Centre 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.

1.2 Consultation

The Luccombe Hub will communicate this policy to all staff, relevant professionals and learners through inductions, meetings, day to day communications, staff meetings and training. A copy of this policy and all policies will be available on request or via the website.

1.3 Legislation and guidance

Education Act 2002 Section 29 – used as guidance.
Education Act 1996
School Information (England) Regulations 2008 There is a duty for schools to publish their complaints procedures on-line.
Independent Schools guidance

2. Procedures and practice

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 complaint's procedure. The Centre 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, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, The Centre, 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.

Timelines

In order for the Centre to deal with your complaint effectively, it would be helpful to receive complaints as soon as possible after the incident concerned. A complaint needs to be raised within 3 months of the incident or if a series of associated incidents, within 3 months of the last one taking place. However, in exceptional circumstances the Centre will consider complaints made outside of this timescale. Complaints made outside of term time will be deemed to have been received on the first day back after the holiday period.

Resolution

At each stage of the complaints procedure, The Luccombe Hub wants to resolve any complaint if at all possible. 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 apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again along with an indication of timescales within any changes will be made;
- an undertaking to review centre policies in light of the complaint.

2.1 Steps
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 Teacher/Facilitator, senior leadership team and where an issue cannot be resolved informally and through discussion. The Complainant is able to raise a formal complaint utilising the complaint form (Appendix A) . If you require help in completing the form, please contact the Centre office or you can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, The Luccombe Hub 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.

Formal Complaint Procedure

Stage 1

Formal complaints against Centre staff (except the Centre lead) should be made in the first instance, to the Centre Lead via the Centre office – Unit 9 Luccombe Business Park, Milton Abbas, DT11 0BD. Please mark them as Private and Confidential or they can be emailed to Office@LuccombeHub.com

Complaints that involve or are about the Centre Lead, then they should be addressed to the Chair of Governors via the Centre office. Please mark them as Private and Confidential and clearly addressed to 'Chair of Governors for The Luccombe Hub' or by email: Chair@Luccombehub.com

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

The Centre Lead or Chair of Governors may decide to delegate the investigation but not the decision to be taken.

Within this acknowledgement, the Centre Lead (or the person investigating the complaint) may seek to clarify, the nature of the complaint, what is unresolved and the outcomes the complainant is seeking, to resolve the matter. Consideration will be given by the Centre as to whether a face to face meeting would be the appropriate way forward.

During any investigation, the investigator will (if necessary)

- Interview all those who were involved in the complaint – they may be accompanied if they wish
- Keep a written record of any meetings/interviews relating to their investigation the centre Lead will investigate the complaint and respond to the complainant within 10 Centre days of the date of receipt of the complaint.

If this date cannot be met, the complainant will be given an update and revised response date and updates every 10 centre days as necessary. The complaint response will include:

- details of any actions taken to investigate the complaint
- a full explanation of any decisions made including reasons
- details of actions taken (or to be taken with timescales) to resolve the complaint
- details as to how to escalate the complaint should they remain dissatisfied with the outcome

Stage 2

If the Complainant is dissatisfied with the outcome of the investigation at Stage 1 and wishes to take the matter further – they can escalate their complaint to Stage 2.

Stage 2 involves a meeting of 3 members of the governing body's complaints committee. This is usually made up of the first three impartial governors available and forms the final stage of the Centre's complaints procedure.

All requests to escalate complaints to Stage 2 must be made to the Clerk to the Governors via the Centre office within 10 Centre days of receipt of the Stage 1 response. Requests received outside this timescale will be considered under exceptional circumstances.

The Clerk will record the date the request was received and acknowledge receipt in writing (either by letter or email) within 3 Centre days.

The Clerk will write to the complainant to inform them of the dates of the meeting. The Centre will aim to convene a meeting within 20 Centre days of the Stage 2 request. If this is not timescale is not achievable, it will be convened as soon as practicably possible and the complainant will be kept updated. If the complainant rejects the offer of 3 proposed dates, the Clerk will decide whether to hold the meeting. If yes, it will then proceed in the complainant's absence with written submissions from both parties.

The complaints committee will comprise of at least 3 governors with no prior knowledge or involvement in the complaint under consideration. Before the meeting, the governors will decide who will act as chair of the complaints committee. In the event that there are less than 3 available governors, the Clerk will source independent governors through the independent schools association or the local authority governor services team. Alternatively, an entirely independent committee may be appointed by the clerk to hear the complaint at Stage 2.

If the complaint is about the Chair, the majority or entire governing body then Stage 2 will be heard by a committee of independent persons. The complainant will be advised accordingly.

If the complainant attends the meeting, they are permitted to be accompanied by a supporter (either a relative or a friend). Legal representatives for either party are not usually encouraged to attend the committee meeting, but it is accepted that there may be occasions where it is appropriate to do so. An example of this may be a Centre employee who is called as a witness and may wish to be supported by a union and/or legal representative. Note: Matters of staff conduct are not usually considered by the complaint's procedure, they are usually considered under staff disciplinary procedures and outcomes will not be shared with complainants.

Representatives from the media are not permitted to attend.

At least 10 days before the meeting the clerk will:

▪ Notify the complainant of the date, time and venue of the committee meeting. If the complainant is invited, these dates to be convenient to all parties and then venue and proceedings are accessible.
▪ Request copies of any further written material to be submitted to the committee at least 5 Centre days before the meeting. Any written material will be circulated to all parties at least 2 Centre days before the date of the meeting.

The committee meeting will

▪ be held in private
▪ not review any new complaints at Stage 2 or consider evidence unrelated to the original complaint to be included. Any new complaint must be considered at Stage 1 of the procedure
▪ not normally accept, as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded
▪ not normally permit electronic recordings of meetings or conversations unless the complainant's own disability or special needs requires it. In that case, prior knowledge and consent of all parties attending must be sought by the clerk before meetings or conversations take place. Consent will be recorded in any minutes taken.
▪ The Chair of the Complaint Panel will decide, at their absolute discretion, which witnesses (including members of staff) will be permitted to attend the Complaint Panel Hearing to give a verbal statement rather than relying on a written statement which will be signed by the witness.

The committee will consider the complaint and all the evidence presented by all parties.

The committee can:

▪ uphold the complaint in whole or part
▪ dismiss the complaint in whole or part.

If the complaint is upheld (in whole or part) the committee will:

▪ decide on the appropriate action(s) to be taken to resolve the complaint
▪ recommend changes to centre systems or procedures to prevent similar issues reoccurring in future, where appropriate.

Within 5 working days, the Chair of the committee will provide the complainant and the Centre with a full explanation of their decision(s) and the reason(s) in writing.

Where appropriate, it will include details of the actions The Luccombe Hub will take to resolve the complaint and timescales to achieve them. The response will also include details of how the complainant may escalate their complaint should they remain dissatisfied with the outcome of Stage 2. .

Next Steps

If, after Stage 2 has been completed the complainant:
▪ Remains unhappy with the outcome
▪ Believes that the Centre did not handle their complaint in accordance with their published procedure
▪ Believes that the Centre has acted unlawfully or unreasonably in the exercise of their statutory duties they can contact the Department of Education.
www.education.gov.uk/contactus
Tel: 0370 000 2288
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

2.2 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 Centre 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 Centre Lead or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems. The Headteacher 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 is either the Centre Lead / designated complaints governor 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, Headteacher, Chair of Governors, clerk and Local Authority (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.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

▪ 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, Centre 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.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting by the committee members, should ensure that:

- ▪ both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- ▪ the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- ▪ complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- ▪ the remit of the committee is explained to the complainant
- ▪ written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- ▪ If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- ▪ both the complainant and the Centre are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- ▪ the issues are addressed
- ▪ key findings of fact are made
- ▪ the committee is open-minded and acts independently
- ▪ no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- ▪ the meeting is minuted
- ▪ they liaise with the Clerk

Committee members should be aware that:

- ▪ the meeting must be independent and impartial, and should be seen to be so
- ▪ No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- ▪ the aim of the meeting should be to resolve the complaint and achieve reconciliation between the Centre and the complainant
- ▪ We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- ▪ many complainants will feel nervous and inhibited in a formal setting
- ▪ parents/carers often feel emotional when discussing an issue that affects their child.
- ▪ extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- ▪ careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- ▪ the committee should respect the views of the child/young person and give them equal consideration to those of adults.
- ▪ if the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- ▪ the welfare of the child/young person is paramount.

2.3 Aspects

Records

Written records will be kept of all complaints to show

- The progress of the complaint and the final outcome
- Who is responsible for this data and ensures it is kept securely All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or body conducting an inspection under section 109 of the School Information Act 2008 requests access to them.

Withdrawal of a Complaint

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

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Centre Lead or supporting management, if appropriate, will determine whether the complaint warrants an investigation.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by The Centre, except those listed below.

Exception	Who to contact
• Statutory assessments of Special Educational Needs	Concerns about Statutory assessments of Special Educational Needs, should be raised with your relevant Local Authority.
• Matters likely to require a Child Protection Investigation	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)(ChAd)
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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: www.education.gov.uk/contactus. Volunteer staff who have concerns about our The Centre should complain through the The Centre's complaints procedure. You may also be able to complain direct to the LA by calling The Dorset LADO on 01305 221122, depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the The Centre's internal grievance procedures.

• Staff conduct	Complaints about staff will be dealt with under the The Centre's internal disciplinary procedures, if appropriate. 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.
• Complaints about services provided by other providers who may use The Centre premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

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 The Centre 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.

3. Concluding notes

3.1 Monitoring and review

This policy will be reviewed on a 3 yearly basis or earlier if required.

3.2 Links to other policies

This policy should be read in conjunction with all other policies at the centre including Safeguarding, Admissions, Behaviour and Curriculum & Assessment.

3.3 Appendices

Appendix A – Complaints Form
Appendix B - Managing Persistent, Vexatious, or Abusive Complaints

Appendix A

Complaint Form

Please complete and return to Henri Monier-Williams (Henri@Luccombehub.com) or Office@Luccombehub.com or Chair@Luccombehub.com, who will acknowledge receipt and explain what action will be taken.

Your name:
Learners name (if relevant):
Your relationship to the learner (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at The Centre about it.

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:

Managing Persistent, Vexatious, or Abusive Complaints

At The Luccombe Hub, we are committed to addressing all complaints fairly and impartially, ensuring that every concern is thoroughly investigated. However, there are occasions when a complainant's behaviour becomes unreasonable, abusive, or defamatory, hindering the effective resolution of issues. This appendix outlines our approach to managing such situations, in line with best practice guidance.

1. Defining Unreasonable Complainant Behaviour

A complainant may be considered unreasonably persistent, vexatious, or abusive if their actions include, but are not limited to:

- Refusing to specify the grounds of a complaint, despite offers of assistance.
- Refusing to cooperate with the complaint's investigation process.
- Insisting on the complaint being dealt with in ways incompatible with our established procedures or good practice.
- Making unjustified complaints about staff who are trying to address the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Introducing trivial or irrelevant new information at a later stage.
- Raising numerous detailed but unimportant questions, and insisting they are all answered.
- Submitting repeat complaints with minor additions or variations that the complainant insists are 'new' complaints.
- Making abusive or aggressive communications, including personal attacks or threats towards staff members.
- Engaging in public actions that unjustly damage the reputation of staff members or The Luccombe Hub.

2. Identifying Serial, Persistent, or Abusive Complaints

A complaint may be deemed serial, persistent, or abusive if the complainant:

- Attempts to re-open an issue that has already been addressed and resolved through the school's complaints procedures.
- Continues to challenge the school's response despite being provided with a clear position and explanation of next steps.
- Communicates in a manner that is abusive, aggressive, or involves personal attacks or threats towards staff members.
- Engages in public actions, such as online campaigns or defamatory statements, that unjustly damage the reputation of staff members or The Luccombe Hub.
- Shows intent to cause disruption through repeated contact or unreasonable demands.

3. Steps to Address Unreasonable or Abusive Behaviour

Before designating a complaint as vexatious, persistent, or abusive, we will ensure that:

- Every reasonable effort has been made to address the complainant's concerns.
- The complainant has been provided with a clear statement of our position and their options.

- The complainant continues to contact us repeatedly, making substantially the same points each time.

4. Communication Strategy for Persistent or Abusive Correspondents

If an individual's behaviour is causing significant disruption, we may implement a tailored communication strategy, such as:

- Restricting the individual to a single point of contact via an email address.
- Limiting the number of times they can make contact, such as a fixed number of contacts per term.

5. Barring from School Premises

In cases where a complainant's behaviour is a cause for concern, they may be asked to leave or be barred from entering school premises. The individual will be given the opportunity to express their views on the decision to bar, which will then be reviewed by the Chair of Governors or a committee of governors. If the decision is confirmed, the individual will be notified in writing, explaining:

- How long the bar will be in place.
- When the decision will be reviewed.

6. Addressing Defamatory or Abusive Actions

If a complainant engages in actions that are defamatory, abusive, or publicly damaging to the reputation of staff members or The Luccombe Hub, we will:

- Seek legal advice to determine the appropriate course of action, which may include issuing a cease and desist letter or pursuing legal remedies for defamation or harassment.
- Report the behaviour to relevant authorities, such as the police, if the actions constitute harassment or pose a threat to the safety and well-being of staff members.
- Provide support to affected staff members, including access to counselling services and guidance on managing personal online security.

7. Seeking Support

If we struggle to resolve a complaint impartially or are concerned about the process, we will seek support from:

- The local authority governor services team.
- Our legal provider, for support with particularly complex cases or any scenario where a complainant has mentioned the possibility of legal action against the school.

By implementing policy within this appendix, The Luccombe Hub aims to manage persistent, vexatious, or abusive complaints effectively, ensuring that our resources are used appropriately and that all members of our community are treated with respect and fairness.