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Related policies and procedures

This policy should be read alongside our organisational policies, procedures, guidance and other related documents.

What is the purpose and scope of this procedure statement?

The purpose of this policy is:

- to ensure that service users feel confident that their complaints and worries are listened to
- to ensure that our complaints procedure is properly and effectively implemented
- to ensure all complaints and worries are acted upon promptly and fairly

Legal framework

This policy has been developed in line with the main legislation covering the duties and powers relating to these issues. Further details can be found in the Alternative Provision Statutory Guidance (APSG) for local authorities ¹.

Key points

- Ultimately, responsibility for the Alternative Provision used rests with the commissioner (see APSG ¹, page 11, clause 34).
- The commissioner could be a parent/carer, school, or Local Authority. The commissioner is usually the person or organisation who pays the fees.
- The commissioner retains responsibility for monitoring and reviewing the provider.

Complaints Process

The complaints process passes through stages 1 and stage 2, before moving to either stage 3 or 4 as appropriate.

Where a complaint passes through stages 1 and stage 2 with InclusEd and resolution cannot be met, the complaint will progress to stage 3 and will be referred onto the commissioner and will progress through their complaint procedures. Where the commissioner is the parent/carer and there are no other organisations involved, the complaint can progress from stage 2 directly to stage 4.

Stage 1 - Informal Complaints

Low level concerns about education provision, safety and safeguarding can be dealt with by the teacher. The expectation is the majority of complaints should be considered and resolved at Stage 1. We encourage you to make contact via telephone or email outside of session time. This will ensure that the classroom time of learners is not disrupted, and your complaint is given the attention it deserves. Please contact us promptly so that we can address your complaint without delay. If necessary, a conciliation meeting will be organised in a mutually convenient time. We will not be able to address your complaint once the 6-, or 12-week placement has been completed. If the issue continues to be unresolved a formal complaint needs to be submitted.

¹ Alternative Provision Statutory Guidance (APSG), (2016),
<https://www.gov.uk/government/publications/alternative-provision>



Stage 2 - Formal complaints

If attempts to resolve the complaint at Stage 1 are not successful, the complainant should submit a formal complaint. This should be done in writing and emailed to InclusEd. The complaint should be received by InclusEd within 5 working days of the incident in which the complaint is being made. We will not be able to address your complaint once the 6-, or 12-week placement has been completed. Written complaints should be acknowledged within 5 working days and a response should be provided within 20 working days.

Stage 3 - Referral to commissioner

If the complainant is unhappy with the outcome of the complaint or is dissatisfied with how InclusEd has dealt with their concerns, they can complain to their commissioner.

- If your commissioner is a school, you must make your complaint to them. As a parent/carer you must get the school's own policy, and follow the procedures set out in that document.
- If your commissioner is the local authority, you must get their policy and follow the procedures set out in that document.
 - Suffolk County Council Complaints Policy can be found here: <https://www.suffolk.gov.uk/asset-library/imported/SCC-Corporate-Comments-Compliments-and-Complaints-Policy.pdf>
 - Norfolk County Council Complaints Policy can be found here: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/corporate/compliments-and-complaints/compliments-and-complaints-policy>

Stage 4 - Referral to external body

If the complainant is unhappy with the outcome of the complaint or is dissatisfied with how their commissioner has dealt with their concerns, or if they are themselves the commissioner and are unhappy with the outcome of the complaint or are dissatisfied with how InclusEd has dealt with their concerns, they can complain to an external body such as the Local Government and Social Care Ombudsman. Their website is <https://www.lgo.org.uk/> and their helpline number is 0300 061 0614.

Managing and Recording Complaints

The progress of any complaint and the final outcome will be recorded. A complaint may be made in person, telephone, or in writing. At the end of a meeting or telephone call, the member of staff will make every effort to ensure that the complainant and the school have the same understanding of what was discussed and agreed.

These records will be kept with the learner's file and kept for a period of not longer than one year.

All correspondence, statements and records relating to the individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

If no complaint is received regarding the learner, the learner's file will be forwarded to the commissioner (the school or the Local Authority) and any copies InclusEd hold will be securely destroyed. For this reason, we will not be able to address any complaint once the 6-, or 12-week placement has been completed.