

## Compliments and Complaints Policy

### Purpose and scope

- 1.0** Ambitious about Autism strives to operate to the highest standards. We welcome feedback from individuals and organisations that we work with, including pupils and learners, parents and carers, partners and our local communities. Such feedback is invaluable in helping us to evaluate and improve our work.
- 1.1** Ambitious about Autism has a single Compliments and Complaints Policy covering all of its activities and services, including the Ambitious about Autism Schools Trust, a Multi Academy Trust.<sup>1</sup>
- 1.2** This policy does not relate to situations where Ambitious about Autism employees have a complaint or grievance. In these circumstances individuals should follow the internal grievance or whistleblowing procedures as outlined in the staff handbook.
- 1.3** Trustees and Governors who wish to make a complaint are expected to follow the procedure outlined in this policy.
- 1.4** The overall **objectives** of the Compliments and Complaints Policy are to:
- Provide an accessible, simple framework for listening and responding to all feedback and complaints;
  - Ensure that everyone feels able to give both positive and negative feedback in a safe, non-judgemental environment in the knowledge that it will be heard and responded to;
  - Create a sense of community and belonging, protecting our pupils, learners, parents, staff and governors from serial, persistent, unsolicited criticism and complaint;
  - Ensure that complaints are dealt with consistently, fairly and within clear timeframes;
  - Ensure that feedback is monitored and used to improve our services and celebrate success.
- 1.5** Our **principles** are to:
- Take all concerns and complaints seriously
  - Encourage resolution of concerns by informal means where appropriate, in the spirit of partnership;
  - Keep individuals informed of progress;
  - Be impartial and non-adversarial;
  - Ensure that where appropriate, a full and fair investigation of the issue is undertaken;
  - Ensure that no-one, including pupils and learners, are penalised for making a complaint in good faith;
  - Keep a written record, for at least three years, of all formal complaints, the action taken (regardless of whether the complaint was upheld) and at what stage they were resolved;
  - Respect confidentiality and data protection of individual complaints, except where Ofsted requests access to them<sup>2</sup>;
  - Provide information regularly to the Executive Leadership Team and on at least an annual basis to Ambitious about Autism's Trustee Board, Ambitious about Autism School Trust's Board, and Governing Bodies<sup>3</sup>, so that services can be improved.

### What is feedback, what is a complaint, and how will complaints be resolved?

- 2.0** Feedback can be positive or negative and will usually not require a formal response. We expect to receive feedback daily in passing, during phone conversations, via email, through evaluations/, and in writing. All feedback will be considered in the development of our services.

<sup>1</sup> All academies and trusts must have a complaints procedure which must meet the requirements of the Education (Independent School Standards (England)) Regulations 2014, schedule 1, Part 7. We believe this policy meets those standards.

<sup>2</sup> The Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008, as amended, can request access to complaints against an education provision.

<sup>3</sup> School governing bodies have a statutory duty to ensure that the necessary provision is made for complaints and feedback to be heard and responded to appropriately.

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| Policy Owner | Director of External Affairs | Review Date: | December 2022 |
| Policy No.   | 093                          | Version No.  | 1.0           |

Feedback and compliments will be shared with those to whom it relates and recognised organisationally through the Staff Council or otherwise as appropriate.

- 2.1** Sometimes services and activities may not meet the expectations or satisfaction of those involved, and we would expect, from time to time, legitimate concerns to be raised. We encourage these to be raised with staff following the process outlined in this policy so that we can address these quickly and in partnership with you.
- 2.2** 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 explanation
  - An admission that the situation could have been handled differently or better
  - An assurance that we will try to make sure the situation will not happen again
  - An explanation of the steps that have been or will be taken to make sure it will not happen again, and an indication of the timescales in which any changes will be made
  - A commitment to review policies
  - An apology.

### **How to make a complaint**

- 3.0** Individuals wishing to raise concerns or make a complaint should contact the person who provided the service at the earliest opportunity. Alternatively, they can contact Ambitious about Autism by emailing [feedback@AmbitiousAboutAutism.org.uk](mailto:feedback@AmbitiousAboutAutism.org.uk) or writing to the Director of External Affairs, Ambitious about Autism, Woodside Avenue, Muswell Hill, London, N10 3JA.
- 3.1** Children and young people – we are committed to listening to and hearing the voice of our pupils and learners and our Youth Patrons, individually and in groups. We take account of children and young people’s views in provision of our services, and encourage participation, self-advocacy and independence. We have Student Councils and a Youth Council, and we recognise children and young people’s right to complain or provide feedback themselves.
- 3.2** Parent and carers – Where a parent wishes to make a formal complaint this should be addressed to the Head of School or Head of College (or the Deputy in his/her absence), or alternatively the Director of External Affairs on the details above.
- 3.3** Key stakeholders and other members of our local communities – partnerships are very important to us. Please contact the person providing the service, or alternatively the Director of External Affairs on the details above.

### **Timescales**

- 4.0** Complaints should be raised within three months (excluding school holidays) of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.
- 4.1** For complaints relating to education settings (TreeHouse School, The Rise School and Ambitious College), we will consider complaints made outside of term time to have been received on the first school/college day after the holiday period.
- 4.2** If other bodies are investigating aspects of the complaint, for example the police, local authority 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 this happens, we will inform you of a proposed new timescale.
- 4.3** If a complainant commences legal action in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.
- 4.4** Timescales for each stage of the process are set out below.

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## Who is involved in the process?

- 5.0** The Director of External Affairs is the designated Complaints Officer and is responsible for ensuring that this policy is followed, and information is recorded properly. The Complaints Officer may nominate a substitute, for example a member of TreeHouse School's, The Rise School's or Ambitious College's Senior Leadership Team, to investigate a complaint if there are appropriate reasons for doing so. In the absence of the Director of External Affairs, the Chief Executive will nominate an alternative Complaints Officer.
- 5.1** If a complaint concerns the Director of External Affairs, the Chief Executive will nominate an alternative Complaints Officer.
- 5.2** If a complaint concerns the Chief Executive or a Trustee, the Chair of the Board of Trustees will manage the complaints process.
- 5.3** If a complaint concerns a Chair of the Board of Trustees, the Deputy Chair of the Board of Trustees will manage the complaints process.
- 5.4** If the complaint concerns a School or Ambitious College Governor, the Chair of the (Local) Governing Body will manage the complaints process.
- 5.5** Compliments and complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation. All anonymous complaints will be directed to the Complaints Officer.
- 5.6** If the complaint involves financial loss or the risk of compensation, the matter may be passed to Ambitious about Autism's insurers who may communicate directly with you.
- 5.7** If a complaint or allegation refers to a safeguarding, the Child Safeguarding Policy and Procedure or Adult Safeguarding Procedure will be followed. We take all allegations relating to safeguarding very seriously.

## How your complaint will be handled

There are four stages to our complaints policy:

- **Stage One** Raising a concern
- **Stage Two** Making a formal complaint
- **Stage Three** Appealing the outcome of a formal complaint
- **Stage Four** Requesting an independent review

### Stage One – Raising a concern

- 6.0** Ambitious about Autism aims to resolve concerns quickly and satisfactorily. It is hoped that most complaints can be made and considered on an informal basis. For example, by way of an apology or explanation or by simply providing the service or information requested.
- 6.1** Where it is appropriate to deal with a concern informally, it is important that the relevant member of staff concerned has the first opportunity to resolve the matter quickly and effectively. In TreeHouse School, the Rise School or Ambitious College this would typically be the classroom-based staff or members of the support team.
- 6.2** Trustees, School and College Governors and other senior staff will not become involved in the matter at this stage as it may compromise their role if the concern proceeds to a formal complaint.
- 6.3** All staff are expected to keep a written record of concerns raised and action taken; including the dates the complaint was received and resolved. It is their responsibility to inform the person who raised a concern of the action taken. Any concern regarding safeguarding must be immediately reported to the Designated Safeguarding Lead.
- 6.4** Where a concern cannot be resolved informally, or when it would be inappropriate to pursue an informal route, the member of staff should inform the Complaints Officer who will instigate the formal complaints process.

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## **Stage Two – Making a formal complaint**

- 7.0** This stage deals with matters that could not be resolved informally or where it would be inappropriate to seek to resolve an issue through informal means.
- 7.1** The Complaints Officer is responsible for this stage of the complaints process but may nominate a substitute, for example the Head of School, Head of College, Executive Principal, or Director to investigate a complaint if there are appropriate reasons for doing so.
- 7.2** The formal complaints process starts when there is sufficient information to begin an investigation and would normally only commence after you have made a complaint in writing. There are some circumstances where it would be inappropriate to wait for a complaint to be received in writing and decision to proceed to an investigation is a matter for the Complaints Officer. Under the Equality Act 2010, we will accept complaints via other means according to your communication preferences due to disability or learning difficulties.
- 6.4** On receipt of a formal complaint, the Complaints Officer will log the complaint on the Central Record of Complaints and issue a Unique Reference Number.
- 6.5** Where the formal complaint process is triggered by a verbal complaint the Complaints Officer will capture the nature of the complaint and ensure this is recorded on the Central Record of Complaints.
- 6.6** All formal complaints will be acknowledged by the Complaints Officer (or the nominated substitute, as described in section 5 above) within three working days, wherever possible.
- 6.7** The Complaints Officer (or the nominated substitute, as described in section 5 above) is responsible for investigating the formal complaint and will ensure that all information and evidence is captured on the “Complaints Sheet” and that this is logged within the Central Record of Complaints.
- 6.8** Following an investigation, the Complaints Officer (or the nominated substitute, as described in section 5 above) will provide a written response to you within 15 working days. The written response will confirm the outcome of the investigation and what action is being proposed as a result. If the complaint relates to TreeHouse School, The Rise School or Ambitious College, a copy of this response will be copied to the relevant Head of School or Head of College and Chair of the (Local) Governing Body.
- 6.9** The Complaints Officer (or the nominated substitute, as described in section 5 above) will advise you that if you are not satisfied with the response to their complaint, and the action that is being proposed, you may appeal and progress to Stage Three – Appeal.

## **Stage Three – Appealing the outcome of a formal complaint**

- 7.0** If you wish to appeal the outcome of the investigation led by the Complaints Officer, you must write to the Chief Executive of Ambitious about Autism within 15 working days of receiving the Complaints Officer’s written response.
- 7.1** The Chief Executive is responsible for Stage Three of the complaints process. They will review the Stage Two investigation led by the Complaints Officer and will confirm in writing, within 15 days, one of the following actions:
- that no further action is taken by Ambitious about Autism; or
  - specify changes to the Stage Two written response and actions.
- 7.2** In accordance with the latest statutory regulations covering Non Maintained Special Schools, the Chief Executive will ensure that any appeal of an investigation relating to TreeHouse School will be undertaken by an independent person who never served as a TreeHouse School Governor or a member of TreeHouse School staff.

## **Stage Four – Requesting an independent review**

- 8.0** At this stage, the process differs for Ambitious about Autism Schools Trust (including The Rise School) and Ambitious about Autism.

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## **Ambitious about Autism Schools Trust**

- 8.1** If you remain dissatisfied with the outcome of the appeal you may request an independent review. Any request must be made in writing to the Chair of the Ambitious about Autism Schools Trust within 15 working days of the Chief Executive reporting on the outcome of an appeal.
- 8.2** The Chair will appoint a panel of at least three people who are not involved in matters detailed in the complaint, including at least one member who is independent of the management and running of the academy. The Panel will meet to review the complaint, and you (the parents) are able to attend this and be represented if you wish. You will be given reasonable notice of the date of the Panel meeting. Representation may include having one relative or friend present to support you. Legal representation will only be permitted if the chair considers it appropriate.
- 8.3** The Panel will confirm in writing one of the following actions:
- no further action is required and the matter is deemed to be closed;
  - overturn the appeal (Stage Three) and recommend specific actions;
  - recommend changes to internal systems and processes to reduce the possibility of similar complaints in the future.
- 8.4** The decision of the Panel will be communicated to you, the complainant, in writing within five working days of a decision being made, and if relevant also to the person being complained about. The decision is final and absolute.

## **Ambitious about Autism**

- 8.5** If you remain dissatisfied with the outcome of the appeal you may request an independent review. Any request must be made in writing to the Chair of the Board of Trustees within 15 working days of the Chief Executive reporting on the outcome of an appeal.
- 8.6** It is the discretion of the Chair of the Board of Trustees whether to instigate an independent review. If it is decided that a complaint, or the process by which it has been investigated, warrants further examination, the Chair of the Board of Trustees can establish an Independent Review Panel which will take place at the earliest possible opportunity.
- 8.7** The composition of the Independent Review Panel will depend on the nature of the complaint. If the complaint relates to TreeHouse School, the Chair of the School Governing Body will arrange for a panel of Governors to act as the Independent Review Panel. If the complaint relates to Ambitious College, the Chair of the College Governing Body will arrange for a panel of Governors to act as the Independent Review Panel. Equally, if the complaint relates to the activity of the wider charity, it may be more appropriate for the Chair of the Board of Trustees to appoint a number of Trustees to act as the Independent Review Panel.
- 8.8** The Independent Review Panel may review all documentation, receive written submissions or, in exceptional circumstances and at its absolute discretion, take direct evidence.
- 8.9** The Independent Review Panel will confirm in writing one of the following actions:
- no further action is required and the matter is deemed to be closed;
  - overturn the appeal (Stage Three) and recommend specific actions;
  - recommend changes to internal systems and processes to reduce the possibility of similar complaints in the future.
- 8.10** The decision of the Independent Review Panel will be communicated to you in writing within five working days of a decision being made. The decision is final and absolute.

## **Who else will listen?**

- 9.1** Parents, pupils and learners may also take their concerns or complaints to Ofsted:  
<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>
- 9.2** Parents who are not satisfied about the handling of their complaint in an academy (The Rise School) should use the contact the Education and Skills Funding Agency (ESFA).

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- 9.3** Alternatively you may contact the local authority, usually the one in which the education provision is situated:
- Hounslow Children’s Services, Civic Centre, 88 Lampton Road, Hounslow, TW3 4DN
  - Haringey Children’s Services, Civic Centre, 255 High Road, Wood Green, N22 8LE
- 9.4** For concerns from members of the public about charities, please contact the Charity Commission: <https://www.gov.uk/government/publications/complaints-about-charities>
- 9.5** For concerns about our information rights practices (for example data protection or Freedom of Information), please contact the Information Commissioner’s Office (ICO): <https://ico.org.uk/make-a-complaint/>

**The use of social media**

- 10.1** Social media should not be used to make or progress a complaint. Complaints should be made through the channels outlined above to ensure that information is recorded safely and securely and to be sure that the complaint can be progressed in a timely way and in accordance with a set of clear procedures.
- 10.2** In the case of social media being used to express a negative opinion about an aspect of the work of Ambitious about Autism or the Ambitious about Autism School Trust, the following four steps will be taken by the charity:
- **Gather evidence:** When the charity becomes aware of a negative opinion being expressed through social media channels (facebook, twitter, etc) about any aspect of its work and/or its staff, evidence will be gathered to establish what has been posted on social media and by whom. Staff will not respond to any postings deemed to be negative. The person (most likely to be a staff member) who identifies the post(s) will inform the Head of Marketing and Communications as soon as possible.
  - **Reassure staff:** The content of negative posts may upset staff members. The Chief Executive, Head Teacher or other appropriate senior staff member should reassure staff and offer support through whole staff emails, meetings and individual discussions.
  - **Report offending material and removal:** The communications team will be approached to remove content if it breaches the terms and conditions of the platform. If the content does not breach the terms and conditions of the platform, then the team will hide the post and/or review our settings including around posting to our page, posting about us, tagging.
  - **Legal advice:** In cases of malicious allegations, Ambitious about Autism may seek legal advice. In some cases this may result in a letter from a solicitor being sent to individuals warning that the allegations could result in legal action.

**Complaints campaigns**

- 11.1** Rarely, an organisation may receive large volumes of complaints all based on the same subject or from individuals unconnected to the charity or its education settings. Complaints of this nature may be handled by a separate procedure involving sending a template response to all complainants or publishing a single response on the organisation’s website. Complainants who are dissatisfied with the response can still follow the ‘who else will listen’ section of this policy.

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