



Complaints Policy and Procedures

The Franchisee is responsible for the implementation and oversight of this Policy

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Italia Conti Associates

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1.1 Overview

Italia Conti Associates is committed to providing a high-quality education and training experience for all its students. It is recognised that from time-to-time problems do arise and students, parents or others may wish to express concern or dissatisfaction with aspects of the quality of services provided. Italia Conti Associates sees the handling and monitoring of complaints as an important aspect of its quality assurance procedures.

Many complaints can be resolved at an informal and/or local level. Italia Conti Associates strongly encourages resolution of this kind and those wishing to make representation under this procedure will be expected to have pursued an informal resolution prior to bringing a formal complaint.

1.2 Purpose

The purpose of the complaints procedure is to provide a clear step by step process through which a complainant may, pursue legitimate complaints. Students and parents / carers are reminded that only by following the procedure outlined below can they expect a full and satisfactory outcome to any complaint process.

- Complaints should be made to the local Italia Conti Associates Franchisee / Principal in the first instance, following the procedures outlined within this policy
- Any complaint about a member of staff should be made to the local Italia Conti Associates Franchisee / Principal
- Any complaint about the local Franchisee / Principal should be made to the Chief Operating Officer at the Italia Conti Head Office via HR@italiaconti.co.uk

This document is guided by the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that Italia Conti must have and make available a written procedure to deal with complaints from parents of pupils at its Associate schools.

1.3 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. Italia Conti Associates will resolve concerns through day-to-day communication as far as possible;
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

1.4 Core Principles

In consideration of a reasonable complaint Italia Conti Associates will adhere to the following principles:

- All complaints will be treated fairly, impartially, and effectively;
- All complaints will be treated seriously and constructively and can be made without fear of victimisation;
- Facilitate a full and fair investigation by an independent person or panel, where necessary;

- Address all the points at issue and provide an effective and prompt response;
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law;
- Consider how the complaint can feed into Italia Conti Associates improvement evaluation processes.

In consideration of a reasonable complaint Italia Conti Associates will adopt the following practices:

- the Complaints Procedure focuses on resolving complaints rather than apportioning blame. Confidentiality owed to staff and students will be protected. Details of a complaint may, however, need to be shared with relevant parties for a full investigation to take place, and individuals named in a complaint will be made aware of the allegations and have the opportunity to give their version of events;
- wherever possible, complaints will be resolved at an informal and local level and/or without recourse to the formal Complaints Procedure;
- repeated or vexatious complaints will not be considered;
- all parties involved in a complaint will be kept informed of the progress of the complaint at regular and appropriate intervals during the process;
- Italia Conti Associates aims to respect complainants' desire for confidentiality and will keep confidential all records relating to individual complaints;
- a written record of formal complaints and their outcomes is kept by the Chief Operating Officer for Italia Conti. This material will be treated as confidential held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection;
- 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 the action taken and at what stage they were resolved. (Note: This information may be provided to relevant external bodies at their request);
- records of complaints will be kept for at least three years.

1.5 Timescales:

Italia Conti Associates aims to resolve any complaints informally in a timely manner. Timescales for each stage of the Complaints Procedure are set out in the relevant paragraphs. For the purposes of this policy, a "working day" is defined as a weekday during term time, when Italia Conti Associates is open. The definition of "working day" excludes weekends and Bank Holidays.

The complainant must raise the complaint within three months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within three months of the last incident. Italia Conti Associates will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next working day.

If at any point Italia Conti Associates cannot meet the time scales we have set out in this policy, they will:

- set new time limits with the complainant;
- send the complainant details of the new deadline and explain the delay.

2. Parent Complaint

Aim:

Italia Conti Associates aim to ensure that a concern or complaint by a parent / carer is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner.

Italia Conti Associates expects that most concerns can be resolved informally and guarantees to treat seriously and confidentially all concerns whether raised informally or formally.

Statement:

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty that is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and to the school's culture. We intend that parents and students should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a student or his/her opportunities at the academy. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require further investigation.

2.3 Stage 1: Informal

2.3.1 Concerns: Most concerns, where a parent/carer seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching, disciplinary matters or issues outside the classroom.

Italia Conti Associates will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the concern initially with the relevant member of staff or Franchisee / Principal of the Associates School as appropriate, either in person or by letter, telephone or email.

The Franchisee / Principal will keep a written record of all complaints and the date on which they were received, and any action taken by Italia Conti Associates as a result. Italia Conti Associates will ensure that informal complaints are responded to with outlined actions to be taken within 10 working days of being raised. A progress update will be issued at this stage if the complaint cannot be resolved within this timescale.

2.3.2 Unresolved concerns: A concern which has not been resolved by informal means within 10 working days from the receipt of the complaint can be escalated to a formal complaint in accordance with Stage 2 below.

2.3.3. Record of concerns: In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person e.g., Franchisee / Principal dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

2.4 Stage 2: Formal Complaints

2.4.1. Escalation: An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the school's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Chief Operating Officer, using the Complaints Form (Appendix C) to HR@italiaconti.co.uk. Should a formal written complaint regarding the same matter be received by another member of the school's staff, this should be immediately passed to the Chief Operating Officer.

2.4.2. Acknowledgement: Any formal complaint needs to be made in writing and will be acknowledged in writing within 5 working days of receipt during term time and as soon as practicable during the holidays. School closures are detailed on the website and issues may not be attended to during these time frames. The acknowledgement will indicate the action that is being taken.

2.4.3. Investigation and resolution: The Chief Operating Officer may deal with the matter personally or delegate a senior member of staff to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue.

In most cases the Chief Operating Officer or investigating officer will meet or speak with the parent/carer to discuss the matter, clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting and should inform Italia Conti Associates of the identity of their companion in advance. In certain circumstances, Italia Conti Associates may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, Italia Conti Associates will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Chief Operating Officer (or investigating officer) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within ten (10) working days.

2.4.4. Outcome: The aim is to inform any complainant in writing of the outcome of an investigation and the resolution to the complaint within 20 working days from the receipt of the complaint. Please note that any complaint received during a school holiday or within 20 working days of the end of term or half term may take longer to resolve.

2.4.5. Record of complaints: Written records will be kept of all meetings and interviews held in relation to the complaint, any action taken as a result and the outcome of the investigation.

2.4.6. Unresolved Complaints: Where the complainant is not satisfied with the school's response to their complaint, they may request to have their complaint considered by an independent Complaints Panel.

2.5 Stage 3 –Panel Hearing (Appeal)

2.5.1 Request: A request for a complaint to be heard by a Complaints Panel (an appeal) must be made in writing to the Chief Operating Officer within ten (10) working days of the date of the Italia Conti Associates decision made at Stage 2.

2.5.2 Acknowledgement: Where an appeal is received, Italia Conti Associates will refer the matter within 3 working days to the administrative assistant of Chief Operating Officer who will act as Clerk to the Complaints Panel. The Clerk will acknowledge receipt of the appeal in writing, within (three) 3 working days, and inform the complainant of the steps involved in the process. The Clerk will be the contact point for the complainant.

2.5.3. Panel Hearing: The Clerk will aim to convene an Appeal Panel hearing as soon as possible, normally no later than 20 working days after receipt of the Stage 3 request.

2.5.4. Panel Membership:

The panel will consist of two members of the Senior Leadership Team who have not previously been involved in the complaint, and one person independent of the management and running of the school. In deciding the make-up of the panel, the school will endeavour to ensure that it represents a cross-section of the establishment and is sensitive to the issues of race, gender and religious affiliation. The panel will select its own Chair.

2.5.5. The Remit of the Complaints Appeal Panel:

The Panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the Italia Conti Associates systems or procedures to ensure that problems of a similar nature do not recur

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between Italia Conti Associates and the complainant. The panel chair will ensure that the proceedings are as informal as possible.

2.5.6. Attendance:

The following are entitled to attend a hearing, submit written evidence and address the Panel:

- the parents/carers, the student and/or one representative
- the Chief Operating Officer and a member of the Senior Leadership Team
- any other person who the Complaints Panel considers having a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making

2.5.7. Evidence:

All parties will be given the opportunity to submit written evidence to the Panel in support of their position including:

- documents
- chronology and key dates
- written statements setting out further detail

The evidence will be considered by the Panel along with the initial submission.

All written evidence must be received by the Clerk no later than (five) 5 working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than (three) 3 working days in advance of the Panel Hearing.

2.5.8. Roles and Responsibilities

The Role of the Clerk: All panels considering complaints must be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decisions.

The Role of the Chair of the Panel:

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed

- key findings of the facts are made
- parents or others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

2.5.9. Decision: The Panel will reach a decision and make any recommendations within ten (10) working days of the hearing. The decision reached is final.

2.5.10. Notification of the Panel's Decision: The Panel's findings will be sent, in writing, by the Clerk, to the parents/carers, Senior Leadership Team and the Chief Operating Officer and where relevant, to the person complained about. The letter will state the reasons for the decision reached and any recommendations made by the Panel.

2.5.11. Record Keeping: Italia Conti Associates will keep a written record of all appeals, decisions and recommendations of the Complaints Panel. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the secretary of state or an inspectorate requests access to them.

2.5.12. Vexatious Complaints: If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. Please see Appendix D and E for further details of how such complaints will be dealt with and examples of behaviour, which will not be tolerated.

3. Student Complaint

Additional guidance for students of Italia Conti Associates

In accordance with the requirements of the Children Act (2004), the school has a "Complaints Procedure" which is given to all pupils which highlights the routes they can follow if they feel that they are fed up or unhappy, if they feel they are being treated unfairly, if they are being bullied, if there are problems at home, if they are being subject to improper physical advances etc.

The complaints procedure incorporates the following elements:

3.1. Something is making you unhappy or worried. What can you do?

Is there a friend who can help?

Is there an older person you can talk to?

3.2. What about someone who is pastorally responsible for you?

Can you talk to your Principal or a teacher? They are here to help you.

3.3. Is there any other member of staff you can trust?

What about a teaching assistant?

3.4. There may be circumstances when you would find it easier to talk to someone who is not a member of staff.

This could be your parents or your friends. In addition, you might consider Childline (telephone: 0800 1111) or the NSPCC (telephone 0800 800 5000).

3.5. Suppose you are still worried. You may feel that the matter is so important you wish to take it further. What do you do?

Speak to any member of staff or adult whom you trust. You do not need to be on your own when you do this; you can have a friend with you, an older pupil or another member of staff.

3.6. If the matter is not dealt with to your satisfaction, you can make a formal statement.

Write to the Chief Operating Officer. Your "complaint" will be registered in the Complaints File held by the Chief Operating Officer. You will be invited to talk the problem through (you may have a friend or adult with you).

You will be advised of the course of action to be taken.

Italia Conti Associates reserves the right to alter these procedures where it is deemed appropriate.

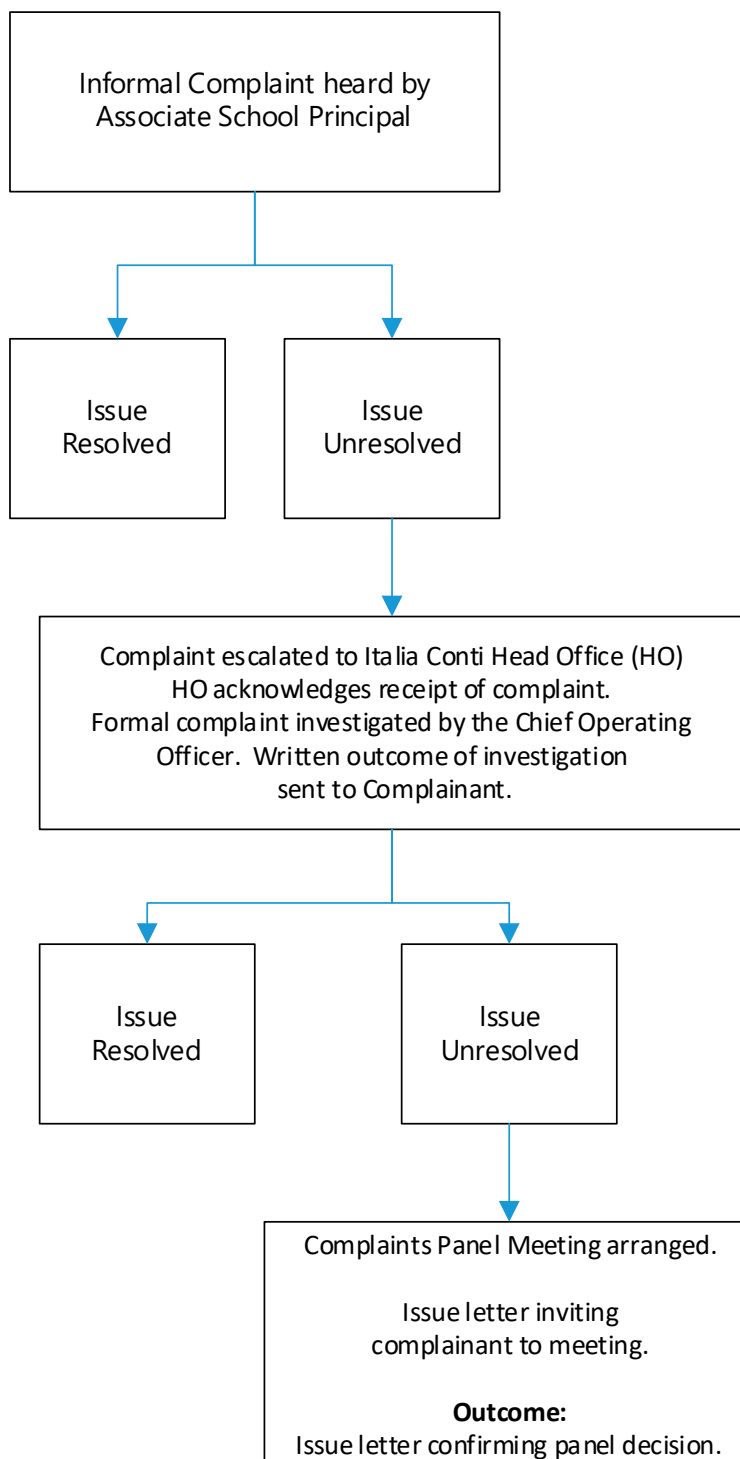
Complaint procedures within Italia Conti Associates will be independent of any formal legal proceedings which may develop from the matter in question.

Appendix A: Checklist Italia Conti Associates Panel Hearing

Checklist for a Panel Hearing:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses.
- The Chief Operating Officer (or Investigating Officer) may question both the complainant and the witnesses after each has spoken.
- The Chief Operating Officer (or Investigating Officer) is then invited to explain the Associate Schools actions and be followed by the Associate Schools witnesses.
- The complainant may question both the Chief Operating Officer (or Investigating Officer) and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Chief Operating Officer (or Investigating Officer) is then invited to sum up the Associate Schools actions and respond to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel withing a set timescale.

Appendix B: Summary of dealing with complaints



If a formal complaint is made, Stage 2 of the process is automatically invoked.

Appendix C: Complaint Form



Please complete and return to the Chief Operating Officer via HR@italiaconti.co.uk, who will acknowledge receipt and explain what action will be taken. You will need to complete this form in order to move a complaint from Stage 1 to Stage 2.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school 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 received:
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:
Notes:

Please return this form to HR@italiaconti.co.uk, marked for the attention of the Chief Operating Officer

Appendix D: Policy on Unacceptable Behaviour

The Complaints Panel recognises that it is the last resort for complainants. They also have a duty to ensure the safety and welfare of pupils, parents and staff.

The Complaints Panel is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service, it would not normally limit the contact complainants have. However, the Complaints Panel does not expect Italia Conti Associates staff to tolerate behaviour by complainants, which is unacceptable, for example, which is abusive, offensive, or threatening, and it will act to protect staff from that behaviour. This applies to unacceptable behaviour on any part of Italia Conti premises.

If the Principal considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Chief Operating Officer will act to restrict the complainant's contact with Italia Conti Associates.

Unacceptable actions and behaviours

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which Italia Conti Associates often find problematic. It is by no means an exhaustive list and local factors may vary, but these are examples that frequently come to our attention.

- Bullying
- Violent or threatening behaviour
- Physical damage to property
- Slander
- Political activism, grooming or PREVENT suspicion
- Illegal activity (such as drugs/theft)
- Any activity that could put staff or students at risk
- Foul and abusive language towards staff, other parents and pupils.
- Behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication.
- Undermining school policies by actively encouraging pupils to ignore staff requests.
- Making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses.
- of some or all of these.

The decision to restrict access to Italia Conti Associates will normally be taken by the Chief Operating Officer.

Any restrictions imposed will be appropriate and proportionate. The options most likely to considered are:

- Requesting contact in a particular form (for example, letters only) ;
- Requiring contact to take place with a named member of staff;
- Restricting telephone calls to specified days and times; and/or
- Asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action. Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However, the Complaints Panel will seek to limit any detriment to any pupils or students who attend Italia Conti Associates, as far as is reasonable within these circumstances e.g., access to parents' evenings, newsletters, and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of Italia Conti Associates staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant warning of that action.

Appendix E: Policy on unreasonably persistent complainants

Italia Conti Associates recognises that it is the last resort for complainants and is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service, it does not normally limit the contact complainants have with the organisation.

However, there are a small number of complainants who, because of their frequent contact with the academy, hinder consideration of their or other people's, complaints. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Chief Operating Officer will take action to limit their contact with Italia Conti Associates.

Actions and behaviours of unreasonable and unreasonably persistent complainants

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which schools often find problematic. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention:

- **Refusing** to specify the grounds of a complaint, despite offers of assistance with this from the Italia Conti Associates staff;
- **Refusing** to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- **Refusing** to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope;
- **Insisting** on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practise;
- **Making** what appear to be groundless complaints about the staff dealing with the complaints and seeking to have them replaced;
- **Changing** the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage;
- **Introducing** new information which the complainant expects to be considered and commented on or raising large numbers of detailed questions which time are particularly consuming and costly to respond to and insisting they are all fully answered;
- **Electronically** recording meetings and conversations without the prior knowledge and consent of the other persons involved;
- **Adopting** a 'scattergun' approach: pursuing a complaint or complaints with the Associate School and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor/the Local Authority/local police/solicitors/the Ombudsman / OFSTED;
- **Making** unnecessarily excessive demands on the time and resources of staff whilst a complaint is being investigated, by for example excessive telephoning or sending emails to numerous academy staff, writing lengthy complex letters every few days and expecting immediate responses.
- **Submitting** repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant

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insists make these 'new' complaints which should be put through the full complaints procedure;

- **Refusing** to accept the decision – repeatedly arguing the point and complaining about the decision;
- **Combinations of** some, or all, of these.

The decision to restrict access to Italia Conti Associates will be taken by the Chief Operating Officer and will normally follow a warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- requesting contact in a specific form (for example, letters only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merit.

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