

Complaints Resolution NAS Schools and Children's Services Procedure – QS-0011

This procedure is to enable parents/carers of current pupils/residents to complain about concerns they have.

This procedure should be read in conjunction with the NAS Complaints Resolution Policy QS-0010

We have a three-stage complaints procedure.

Stage 1 (Informal stage of complaint)

Stage 2 (Formal Stage of Complaint – must be made in writing)

Stage 3 (Appeal)

If you have a concern about an NAS service, school or team, the easiest way to get your concern resolved will be to raise it directly with your child's teacher, classroom assistant/learning mentor/support worker or via the school office.

In children's services please raise your concerns with your child's keyworker or any member of staff on duty.

At each stage it will help us to resolve your complaint quickly if you can give us as much clarity and detail as possible. This includes clearly stating that you are making a complaint and if in writing, providing any documents and records of correspondence. If we do not have all the details needed to deal with the complaint, we may contact you and ask you for further information.

We will not respond to anonymous complaints but may review the contents of any anonymous complaint under another relevant policy and procedure.

We reserve the right to use our discretion to appoint external investigators at any point in the process for particularly serious or sensitive complaints.

How to complain to us

Contacting us

There are a variety of ways that parents/ carers can make complaints:

- Telephone to your school or children's service
- In writing to your school or children's service
- Email: yourview@nas.org.uk
- Website: www.autism.org.uk
- Writing to:
- Writing to:
Lesley Andrews
Director of Assurance & Compliance
The National Autistic Society
393 City Road

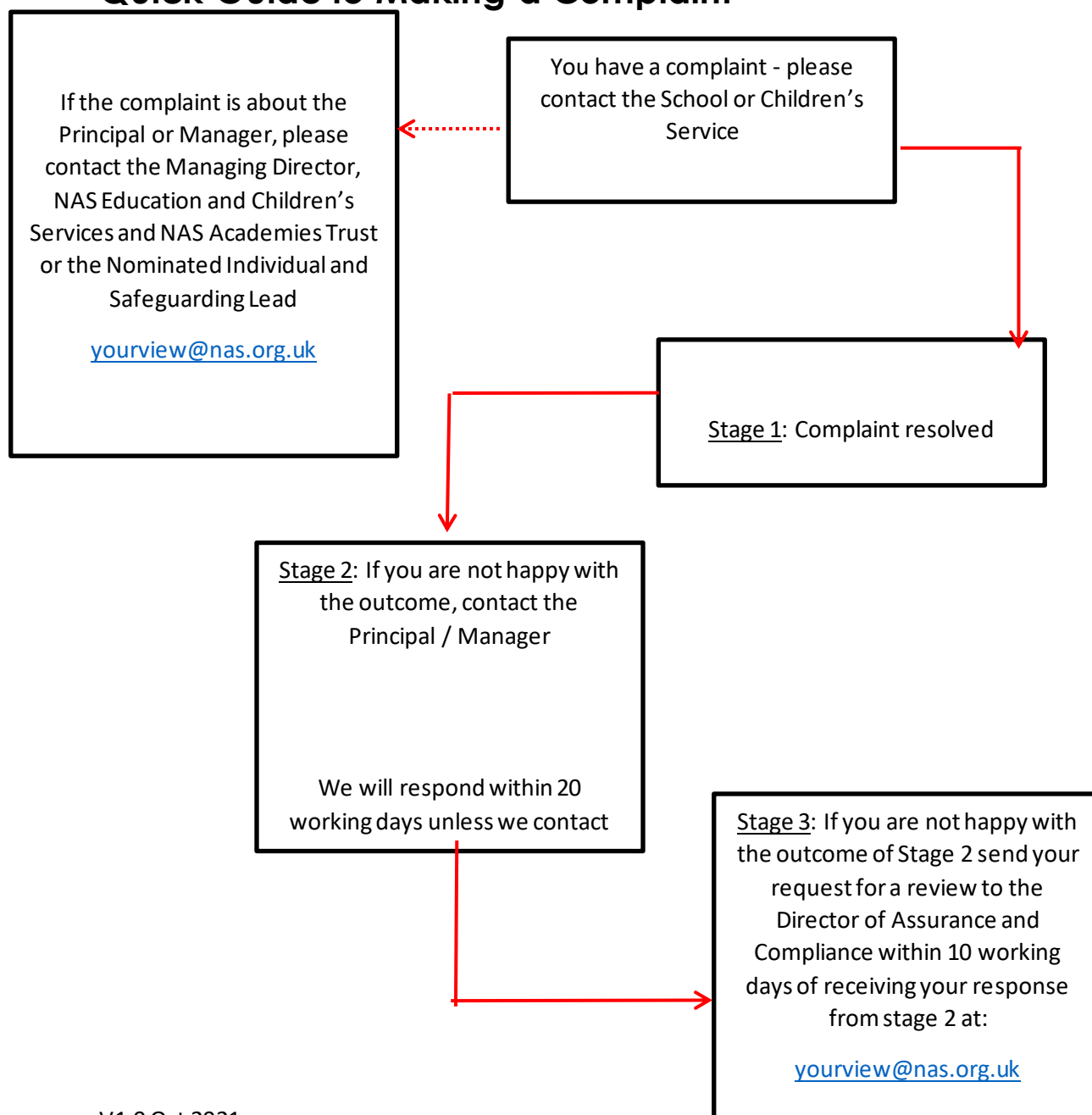
London
EC1V 1NG

Formal complaints should usually be put in writing. Where this is not possible arrangements will be made to listen and record your complaint.

If you require different adjustments, for example if you have English as a second language, we can support you with an interpreter or if you have disability and need additional support, let us know by calling the School or children's service and we will put arrangements in place to help you where we can.

If your complaint is about the Principal or Manager, please contact the Interim Director of NAS Schools or the Director of Assurance & Compliance

Quick Guide to Making a Complaint



Stage 1 (Informal stage of complaint)

- This is the first opportunity for us to resolve your concerns. We hope your complaints will be resolved at this stage.
- This stage should be applied first even for potentially more complex and interwoven issues. Every effort should be made to resolve matters rather than things escalating too quickly.
- We will acknowledge complaints within 5 working days of receiving each complaint.
- We will send a full response within 14 working days of receiving each complaint.
- To complain informally, contact your child's teacher or the school office and an appropriate member of staff will review the complaint, take any necessary action and get in touch with you.
- Or if your concern is about a residential service or club, contact your child's keyworker or any staff member on duty.
- Informal complaints resolution may include the complaint being immediately resolved through discussion or meeting with the appropriate person or group of people.
- In all cases, records must be maintained
- This stage must be followed first, a complaint cannot proceed to stage 2 without this stage being pursued.

Stage 2 (Formal Stage of Complaint – must be made in writing)

- If you are not happy with our response at Stage 1, your complaint will then be investigated by someone more senior in the school or children's service, not linked directly to the complaint and competent to investigate the issue(s) raised. This will typically be the line manager of the subject of the complaint or the Principal/Children's services manager. Should your complaint directly concern the school principal, then the Local Governing Body will nominate a governor to undertake the investigation. Schools should ensure that they consider that different governors may be required if it progresses to appeals stage.
- Your written complaint should detail the issues to allow it to be investigated thoroughly. We can signpost you to someone that can help you with this.
- It would help to more quickly resolve the complaint if you tell us what you feel would resolve the complaint.
- Where possible we will acknowledge receipt of your complaint in writing within 5 working days.
- We will send a full response within 28 working days of receiving each complaint. Our response to the complaint will detail the evidence considered in forming a view, a decision to uphold all or part, or dismiss the complaint, the proposed resolution, the process for achieving the proposed resolution, any lessons learned and next steps.

Stage 3 (Appeal)

- If you are still unhappy that we have not resolved your complaint, you may request a review of the complaint's handling and the outcome at Stage 2.
- Your appeal should be made in writing within 10 working days of receiving your response from Stage 2. To do this contact the school or the Director of Assurance and Compliance at yourview@nas.org.uk or by post to:
Lesley Andrews
Director of Assurance & Compliance
The National Autistic Society
393 City Road
London
EC1V 1NG
- Your appeal must outline why you are appealing the decision.
- We will organise a panel of at least three people who were not directly involved in the complaint. One panel member will be independent of the running of the school or service.
- You can bring someone with you to support you at the Appeals Panel.
- The accompanying person should not be a legal representative.
- Notes (non-verbatim) of the meeting will be provided. However, recordings are prohibited.
- We will usually convene the Appeal Panel within 28 working days and you will be notified no less than 1 week before that date.
- Any supporting documentation that you have about the complaint must be sent to the Appeal Panel, at least 5 days before the appeals panel hearing.
- The appeal will cover a review of the complaint as well as the process.

The panel's decision is final. If you are unhappy with the outcome you may wish to contact the following:

- In England complaints can be submitted online at <https://www.gov.uk/complain-about-school>
Or to Ofsted: Email enquiries@ofsted.gov.uk or call on 0300 123 4666 More information can be found at : <https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

Timescales

Stage 1

- We will acknowledge complaints within 5 working days of receiving each complaint.
- We will send a full response within 28 working days of receiving each complaint.

Stage 2

- We will acknowledge complaints within 5 working days of receiving each complaint.
- We will send a full response within 28 working days of receiving each complaint.

Stage 3

If you would like to lodge an appeal. You should write to Lesley Andrews Director of Assurance & Compliance at yourview@nas.org.uk or by post :within 10 working days of the outcome at Stage 2.

- If no request for an Appeals Panel hearing is received within 10 working days we will close the complaint.
- We will usually hold the appeals panel within 28 working days from the request being received. Where it is not possible to find a mutually convenient date within that timescale, we will take reasonable steps to agree a time and date with you.
- Any supporting documentation relevant to the complaint must be sent to the Appeals Panel by both parties at least 5 working days before the appeals panel hearing.
- The chair of the panel will notify you of the panel's decision in writing within 5 working days of the appeal hearing.

Extending time limits

- We aim to complete our investigation into all complaints received within the timescales set out above.
- In a limited number of cases - for example, if a complaint is very complex, it may be necessary to extend the time limit to ensure we have all the information necessary to deal with it.
- If this is the case we will keep you informed of progress with the investigation, the reasons for the delay, and inform you of next steps.

Resolution

If the outcome of your complaints shows that we have got things wrong, we will:

- accept responsibility and apologise
- explain what went wrong and why
- put things right by making any changes required
- learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

An apology is generally the most appropriate action, but other action may also be necessary in some circumstances.

Recording complaints

Complaint details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints we receive and collect data from

them to help us understand what types of problems are in our schools and children's services and how well we are doing to resolve them.

We value your feedback and will use it to help us to:

- get things right in the future if we have not done so already
- be more open and accountable
- act fairly and proportionately
- seek continuous improvement

We will handle your information so that it is processed and retained appropriately and legally, in line with data protection legislation.

Unreasonable complaints

We are committed to dealing with all complaints fairly, fully, and in a timely manner and we will not normally limit the contact which complainants have with staff.

Sometimes, however, people with complaints or other issues may treat staff and others in a way that is unacceptable. Whilst we understand that some complaints may relate to serious and distressing incidents, we will not accept threatening, inappropriate or harassing behaviour toward our staff.

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include people who complain in an unreasonable manner and those who do not act in an appropriate way towards our staff.

This includes:

Actions which are:

- Out of proportion to the nature of the complaint, or
- Persistent – even when the complaints procedure has been exhausted

Or

- Personally harassing, or
- Unjustifiably repetitious or
- Obsessive, harassing, or prolific.
- Prolific correspondence or excessive email or telephone contact about a concern or complaint.
- Making inflammatory statements and unsubstantiated allegations.
- Repeatedly demanding disciplinary action be taken against staff.
- Recording meetings or telephone conversations without consent.
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint.
- Acting in a way not in line with the Charity's aim of reaching a resolution and working with the Charity.

An insistence on:

- Pursuing unjustified or unmeritorious complaints and/or

- Unrealistic outcomes to unjustified complaints.

An insistence on:

- Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
- Making complaints in public; or
- Refusing to attend appointments to discuss the complaint.

The person complaining will first be told that we consider their language offensive or their behaviour unacceptable, and will be asked to stop using such language or behaviour.

Where complaints are deemed vexatious or the unacceptable behaviour does not stop, the complainant will be notified in writing that no further correspondence will be entered into on the matter in question.

If further contact is necessary, the complainant will be informed that it will be made through a Director or their nominated officer/s. A decision to restrict contact will be reconsidered if the complainant subsequently demonstrates more reasonable behaviour.

If you disagree with a decision made by the Charity to regard your behaviour as unreasonable, you can challenge it by contacting the Company Secretary at the National Autistic Society, 393 City Road, London EC1V 1NG.

All incidents of harassment or aggression will be documented and referred to senior staff. In appropriate circumstances these matters may be referred to the police and the Charity may consider taking appropriate legal action against the complainant, if necessary, without prior warning.

Duplicate complaints

A duplicate complaint is a complaint received from the pupil, spouse or partner of the complainant that comes after closing a complaint at the end of the procedure.

If there are new aspects to the complaint that have not previously considered. The school will ensure these are investigated and dealt with to the full extent of the complaints procedure.

If the complaint is about the same subject and there is no new information the complainant will be informed that the school has already considered that complaint and the local process is complete. The new complainant may wish to contact external bodies. (see earlier section of policy)

Vexatious Complaints

The [Office of the Independent Adjudicator](#) defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious

- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Schools should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of any form of 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Should the complainant continue to make contact on the same issue, the complainant will be notified in writing that no further correspondence will be entered into on the matter in question. Any decision not to progress a vexatious, serial or persistent complaint will not be taken lightly and the School will consider all surrounding circumstances and best practice guidance before taking such action. Whenever possible the Principal and/or Chair of Governors will discuss any concerns with the complainant informally before dismissing a complaint as vexatious, serial or persistent. Should any such decision be taken this will be communicated to the complainant.

Appeals procedure

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. The complainant and investigating officer will enter the hearing together
2. The chair will introduce the panel members and outline the process
3. The complainant will explain the complaint
4. The investigating officer and panel will question the complainant
5. The investigating officer will explain the service or school's actions
6. The complainant and panel will question the investigating officer
7. The complainant will sum up their complaint
8. The investigating officer will sum up the service or school's actions
9. The chair will explain that both parties will hear from the panel in writing within 5 working days
10. Both parties will leave together while the panel deliberates.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

