



The Lioncare School Policy for Complaints 2021-2022 Including Annual Statement of Complaints

Policy Type and Title	Related Documents	Related Legislation	Author	Consultation	Curriculum Links	Date Created	Date for review
Complaints	Prospectus Admissions Policy Policy for Promoting Positive Behaviour and Relationships Policy for Restrictive Physical Intervention	Equality Act 2010 The Independent School Standards (2015, revised 2018) Education Act 2002 School Information (England) Regulations 2008 https://www.gov.uk/complain-about-school	Sara Fletcher Asst. Director	The Chair of the Lioncare School Monitoring and Advisory Panel	All	August 2020 (completed by SF) Reviewed: August 2021 (completed by CB)	August 2022

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Annual Statement of Complaints (2020-2021)

A Child Centred Community

Central to the therapeutic education model practised at The Lioncare School is the belief that an individual child can only have damage from their earliest years addressed in a setting that allows for relatedness to others. Our practice is based on Psychosocial Theory, influenced by Group Relations thinking, informed by the work of Klein, Winnicott, Bion, Bowlby, and Hinshelwood amongst others. In this way, the model used at the Lioncare school resembles the Therapeutic Community Approach¹. The idea at the heart of the model is one of equality between people and of the capacity in each of us to help and heal each other and to contribute to other's development. It empathises the quality of communication between adults and children (and between the adults), and on the connections between the help provided to individuals and the overall task with the whole group. Therefore, the key areas we are constantly attempting to nurture in the children at The Lioncare School (and the adults working with them) is the ability to be honest, open and reliable

with each other, and willing to find ways to communicate difficulties and problems more effectively and to begin to take responsibility for their own actions, decisions and lives. It is our firm belief that our therapeutic Curriculum based on the following five principles is a protective mechanism for keeping our children and young people safe both in school and over their journey to interdependence.

Attachment: Children and young people attending the Lioncare School need to feel a healthy sense of belonging. They are encouraged to become full members of a group that values them and gives them something to value. This is a fundamental first step in the feeling of self-worth necessary for learning to begin and it also means that they will not accept being treated badly by others and will speak by themselves, trusting others to hear them. They will begin to accept that a reliable adult can hear about unpleasant experiences without blaming or rejecting the child. The low self-worth will contribute to risk taking behaviours online and a vulnerability to those who use the internet to exploit others. All adults should be aware that traumatized children are more vulnerable than their chronological peers.

Containment: safety is paramount for our children and young people. All children and young people have a need to experience an appropriate degree of consistency, predictability and regularity in their daily lives, and it is that promotes a child or young person's sense of being 'safe' and is a prerequisite for children and young people developing the ability to retain facts and skills (i.e. 'learning'). Our children and young people have often had limited experience of this. When the child recognises what feeling safe is like they can begin to identify those things that were and are not safe and begin to want to protect themselves in healthy ways. This includes children and young people understanding that adults will uphold all boundaries around online usage.

Communication: children at The Lioncare School need to see that openness is important in moving forward and that the adults can work honestly and respectfully with everything they need to communicate. In school this means teaching socially appropriate communication is more successful when adults show they can understand and manage less positive communication. Our children have often had early experiences that have deprived them of the knowledge of the wider world and of different communities and therefore online worlds can be enriching and reparative in these areas but all adults must be aware that children and young people need to be taught the conventions of online communication in order to stay safe.

Involvement: The children and young people attending The Lioncare School learn about 'growing up' by experiencing the interdependency of participation in individual and group learning. In school this means a number of different activities are planned each week to give new experiences at the right level for each child; these can be very small step achievements, but by finding value in them self-worth grows and the capacity to assert choice. Adults must stay attuned to when online activity is an enhancement to this or used by a young person to defend against involvement.

Agency: Agency can be defined as the acquiring of skills, actions, medium, or means by which to accomplish things. As children and young people move through the school they grow closer to taking control of their lives and learning post-16 and need to experience both success and failure to do so. This also means that as children and young people progress through school they are actively encouraged to take up roles and positions of increasing responsibility and authority through making and evaluating decisions. This means greater online autonomy can be planned for as young people reach the capacity to manage this and adults are clear on how they will be able to evaluate the success of any such steps.

We believe this ethos, in partnership with the robust procedures detailed below, informs an environment where children learn to keep themselves safe, demand safety from others and in which adults are attuned to how to work safely and how to spot the earliest possible indicators that things are not safe. Children learn to recognise and manage risks in different situations and then decide how to behave responsibly, judge what kind of contact is acceptable and unacceptable and recognise when pressure from others (including people they know) threatens their personal safety and wellbeing and develop effective ways of resisting pressure. These skills are meaningful online and in real life. From a position of security children can begin to show the key attributes through which they will thrive and make a positive contribution – resilience, tolerance, empathy, personal responsibility and a sense of efficacy and self-worth.

Acknowledgment is duly given to the work of Adrian Ward, Senior Lecturer in the department of social work at the Tavistock and Portman NHS Foundation Trust. 5

Haigh, R. (2013) "The quintessence of a therapeutic environment", *Therapeutic Communities: The International Journal of Therapeutic Communities*, Vol. 34 Iss: 1, pp.6 – 15

Concerns and Complaints

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'. It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible. However, there will be occasions when complainants want to raise their concerns formally. In those cases, this complaint procedure should be followed.

It is therefore essential that from the beginning that all those who may receive a worry, complaint or concern is clear whether the person who is raising a worry is best served by their issue being treated as a concern or as a complaint. Concerns can be signposted to one of many available forums for both children and adults employed by the organisation- community meeting, check -in, key work, supervision, group supervision, debrief etc and recorded in the associated mechanism.

Concerns raised by families, other professionals, outside agencies etc by telephone once explicitly established as concerns and not complaints, should be at the very least noted on our message log and, if not resolved, responded to by the appropriate person, for example the class teacher, HeadTeacher and/or Administrator. On most occasions the Head Teacher **will not** be the most suitable person to address a concern. If concerns are raised by email they should be forwarded as before, including details of what has been done to ease the concern, and if the concern arises in a face to face conversation and cannot be resolved in person again an email should be sent as above. The person dealing with the concern should ensure their response is suitably

logged and note whether the issue is resolved. If a concern has not been resolved in its initial airing, a follow up dialogue, usually led either by a member of the school administration team, child's teacher or key worker, or Head teacher should happen within 48 hours and from there the adult managing the concern should record outcomes in the most suitable existing mechanism. Professional judgement is paramount in ensuring a proportional response to all concerns raised by any adult. If a concern cannot be resolved using informal mechanisms, or there is no agreement or consensus in the resolution of the issue it may be appropriate to signpost to the complaints policy.

Any concerns procedure should be considered as Stage One of the procedure outlined below

Concerns and Complaints that fall outside of this policy

Some complaints fall outside the school's complaints procedure, for example:

- Complaints about admissions to the school
- Exclusions
- Actions taken by a third party
- Staff grievances
- Disciplinary procedures
- Allegations of hurt or harm as defined in our Safeguarding and Child Protection Policy

On most occasions anonymous complaints will not be considered by the school however the Head Teacher and The Chief Executive Officer will use their discretion as to whether an incident warrants investigation, especially if there is an indication that our Safeguarding and Child Protection Policy has been breached.

Concerns and Complaints by Children

Children who raise concerns may do this verbally or may communicate that something is worrying them in other ways. Much of the work of the adult team in the school is to be receptive to such messages and take actions to alleviate concerns through many of the available structures inherent in our therapeutically informed facilitating environment. To help make this work more transparent there are Concerns Posters around the school that signpost the children to sources of support and adults should be working at all times to make this information accessible so that children can address worries in the right way.

Sometimes children need to make a complaint and their right to do so is noted in the reflective work done after incidents that have led to restrictive physical intervention, or harm to themselves or others (the purple form).

If a child at the school wishes to complain they should do so on the form available on the school's Behaviour Watch system with the help of an adult not involved in the matter at hand. Our complaints officers are the school administration team.

The will be asked:

- What has happened?
- How has this made you feel?
- What would you like to see happen now?
- Is there anything you are going to do now to help yourself?
- Have the next steps been explained to you?

If this complaint is about the Head Teacher personally it must be highlighted to the Chief Executive Officer immediately by either the Senior Team or the School Administration Team and moved to a confidential area within the Behaviour Watch System.

If the complaint constitutes an allegation against an adult, as defined in our Safeguarding and Child Protection Policy, it must be treated as such, and the DSL/ DDSL informed immediately. If the complaint constitutes an allegation against another child as defined in our policy it must be treated as such and the DSL/ DDSL informed immediately. The complaint will be on hold until all statutory mechanisms have been undertaken, and the form will be amended to show this. The young person will be supported as outlined in our Safeguarding and Child Protection Policy. The form will be moved to the confidential file on the Behaviour Watch system.

If the complaint is about an adult or another child but it does not reach the threshold of a safeguarding notification then the next step will be to hold a restorative justice meeting involving all parties, their representatives and chaired by a third party.

The person overseeing the complaint should endeavour to have signed off the complaint with all actions noted within five working days and will be responsible for communicating appropriately with the child and the wider school community.

Complaints made during the school holidays will be treated as if they were made on the first day of the following term.

Concerns and Complaints by adults within the Lioncare Group

There are many mechanisms for concerns to be raised among colleagues, most notably the daily debrief, individual and group supervisions. If these are not felt to be suitable for any reason, concerns must be raised with a line manager within the school at the earliest opportunity. Informal conversations between colleagues are not safe mechanisms for raising concerns and can lead to frustration on both sides, however everybody has a duty to support the wellbeing of others via supervision, email or semi-formal check-ins.

If concerns or complaints indicate that an adult has or may have, or is intending to, cause harm to a child then this must be dealt with under the school's Safeguarding Policy as must any Whistleblowing actions.

In all other situations the complaint must be noted on the Behaviour Watch form and the complainant given a copy of this policy.. The headteacher will appoint a case manager who will make an initial response within five working days. This response will outline the next steps and the proposed timeframes for these-in many cases the response will be guided by another organisational process and will be outside the scope of this policy (for example the Grievance Policy). Complaints that do not meet the threshold for any other policy will aim for resolution within a working month (28 working days).

If the outcome is not satisfactory the complainant should email the headteacher who will decide what, if any further actions are appropriate for cases not subject to existing policies. The Headteacher will respond within five working days and this response will include a time frame and any appeals process that may apply.

If the Head Teacher is the subject of the complaint then the details of the complaint must be emailed to Mr Matt Vince, Chief Executive Officer of The Lioncare Group and Chair of the Monitoring and Advisory Panel and he will follow the relevant organisational policy.

Complaints made during the school holidays will be treated as if they were made on the first day of the following term

Concerns and Complaints from Families and Other Professionals involved in the care of a child at the school

Parental Responsibility

Those with parental responsibility will be kept updated if a child makes a complaint. By this we mean all those who have responsibility under the law for a child, including when this is granted by court order. Disputes or disagreements between parties as to who has the right to information should be avoided by clear agreement at admission and will not be a reason for information not to be shared openly.

Concerns and Complaints by Others

The Lioncare School asks that complaints or concerns are raised within 3 months of the incident or occasion of concern and may not be able to investigate incidents older than this

Stage 1 Procedure

If a carer / parent / social worker (i.e. person with parental responsibility) is unhappy with the care or education their child is receiving, or a member of the public has concern relating to the Home or The Lioncare School, they are encouraged in the first instance to talk to the school, with the aim of resolving the matter informally (see concerns above).

Stage 2 Procedure

Where the person with concerns feels that a situation has not been resolved through talking, or that their concern is of a sufficiently serious nature, they should make an appointment with a Senior Team Member. At this meeting it will be established whether the issue needs to become a formal complaint, a form will be completed and this policy shared with the complainant.

Any such complaint will be taken very seriously and investigated thoroughly. The person investigating the complaint will make an initial response within five working days and this will outline any further actions. Resolution will be sought within 28 days and the Headteacher will be kept informed of the outcome. Most complaints are informally resolved at this stage.

If the complainant is happy with the way their concern or complaint has been addressed, and agrees with the decisions reached, they are asked to confirm this in writing (email is acceptable) to the Head Teacher and the complaint procedure stops at this point.

Stage 3 Procedure

If after all informal routes have been exhausted, the person with concerns remains unhappy with the outcome, they can make a formal complaint to the Head Teacher (if the complaint is not about the Head Teacher). Only if an informal complaint fails to resolve the matter should a formal complaint be made to the Head Teacher. This complaint must be made in writing (email is acceptable) and dated, stating the nature of the complaint and how it has been handled so far including as much detail as possible, and sent for the attention of Caroline Belchem - caroline.belchem@lioncare.co.uk

The Head Teacher must consider and acknowledge all written complaints within 21 working days of receipt, or within 21 days of the start of the next term if the complaint is received in the school holiday.

The Head Teacher arranges a meeting to discuss the complaint, and invites the person (who may be accompanied by another if they wish) to attend the meeting so that person can explain their complaint in more detail. The complainant will be given at least three days' notice of the meeting.

The meeting will be chaired by the Head Teacher along with another Senior Manager from within the Lioncare Group organisation.

After hearing all the evidence and conferring with the colleague, The Head Teacher makes a decision and informs the complainant of the outcome in writing. The Head Teacher does all they can at this stage to resolve the complaint to the satisfaction of the person making the complaint, and all parties involved receive notification of the outcome.

If the complainant is happy with the way their concern or complaint has been addressed, and agree with the decisions reached, they are asked to confirm this in writing (email is acceptable) to the Head Teacher, and the complaint procedure stops at this point

Appeals Procedure

If the complainant has followed Stage 1, 2, and 3 of this complaints procedure yet remains dissatisfied with the outcome or the manner in which it has been addressed, or feels the matter has not been resolved, they have the right to appeal.

They should, within 5 working days of the stage 3 decision being communicated to them by the Head Teacher, address their written and dated appeal to the Chief Executive Officer, Mr Matt Vince

The Lioncare Group
58a Livingstone Road
Hove
East Sussex
BN3 3WL

The complainant must include all details and evidence to support the grounds for their appeal. On receipt of the appeal letter, the Chief Executive Officer shall make arrangements for an appeal meeting to which the complainant is invited. The Chief Executive Officer will make 'provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint'. The complainant may again, if they wish, be accompanied by another for support. The meeting may be chaired by the Chief Executive Officer, a member of the organisations Executive Team and an external consultant. The complainant is advised to make every effort to attend the appeal meeting.

Following the meeting, the Chief Executive Officer will endeavour to respond to the appeal as soon as possible and, in any case, within five working days of the appeal hearing. If it is not possible to respond within this time period, the person bringing the appeal will be given an explanation for the delay and be told when a response can be expected. They will be informed in writing of the Organisation's decision on the appeal.

This is the final stage of the organisation-led procedure and the Organisation's decision shall be final.

External Bodies and their involvement in complaints against schools are detailed below.

Complaints about The Head Teacher

All complaints against the Head Teacher should be directed to the Chief Executive Officer of The Lioncare Group, using the contact details in the previous section.

Serial Complaints

The purpose of this policy is to ensure that The Lioncare School provides an open, reflective and safe service to the children who attend and that this is paralleled in its relationships with staff, parents and other members of our community and therefore we take complaints very seriously. However there will be occasions when we may choose not to respond to complaints. This includes those that we deem to be “persistent or serial”. This means that the full process has been exhausted, including appeals, and there is no further reasonable response within our power yet the complainant raises the same or similar issues repeatedly with no apparent desire for a reasonable outcome. Before we cease to respond there will be a final letter sent outlining all steps taken so far and the reasons for us deeming the complaint closed.

If the complaint has exhausted our process but is then escalated (to the police, local authority, government, member of parliament or OFSTED) this is not a serial complaint.

We will also reserve the right to not respond to complaints that, after initial scrutiny, are deemed to be frivolous or vexatious.

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

It will always be the complaint that is recorded as frivolous, vexatious, persistent or serial NOT the complainant and any new concerns will be treated according to this policy.

Duplicate Complaints

If after closing a complaint at the end of the complaints procedure, we may receive a duplicate complaint from a party related to the original complainant, e.g a grandparent or other family member in the case where the parent may have raised a complaint we will inform the new complainant that the school has already considered that complaint and the local process is complete. We will take care not to overlook any new aspects to the complaint that may not have been previously considered, and will ensure that these are investigated and will be dealt with to the full extent of the complaints procedure.

If the complaint is about the process of the original complaint, it is not a duplicate, it is a new complaint.

Complaint Campaigns

Occasionally, schools may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

In such cases we reserve the right to consider a proportionate and reasonable response to complainants by either sending a template response to all complainants or publishing a single response on the school's website for a time limited period.

Recording Complaints

All complaints (not concerns) will be recorded on the school's BehaviourWatch Management Information System unless they are formal complaints regarding a member of staff and then all details are kept in the secure personnel file

All correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 163 of the 2002 Act requests access to them.

The Involvement of External Bodies

There are a number of bodies that can become involved in complaints about schools.

If the complaint is an allegation of harm these bodies are outlined in the school's Safeguarding and Child Protection Policy.

Those with parental authority who are unhappy about aspects of teaching, learning, curriculum or the school's capacity to meet the needs of their child can raise concerns with their local authority and via the Education, Health and Care (EHC) Plan review.

OFSTED are asked by the Department of Education to regulate that schools are compliant with national standards, OFSTED have a complaints form but it should be noted that OFSTED will not consider a complaint that has not gone through the school's own complaints system and rarely respond to anonymous complaints.

The Department for Education provides the following guidance on making complaints about a private, independent schools like The Lioncare School <https://www.gov.uk/complain-about-school/private-schools>. They will only usually consider complaints from those with Parental Responsibility for a child at the school.

Appendix

Annual statement of complaints for the school year 2020-2021

The Lioncare School received two complaints over 2020-2021

Both of these were from Children raising interpersonal concerns.

One led to restorative justice with a play session occurring between the two children.

The second complaint involved a safety plan being implemented to support the child involved.