



BHES

Complaints Policy

Note: in this policy reference to governing body or governors refers to the management committee and its members.

Where contextually appropriate for school read service.

Date adopted: October 2023

HISTORY OF POLICY CHANGES

Date	Page	Details of Change
October 2023	all	No changes
January 2025	all	No changes
May 2025	all	Re-write to add appendices, link more clearly with BCC, added contact details, added templates

Contents

1. Aims	3
2. Legislation and Guidance	4
3. Definitions and Scope	4
4. Roles and Responsibilities.....	5
5. Principles for Investigation	6
6. Stages of Complaint (Not Against the Headteacher or Management Committee)	6
7. Complaints About the Headteacher.	7
8. Complaints About the Management Committee.....	7
9. Making Complaints to the DfE or Ofsted.....	7
Appendix 1: Complaint Form Template.....	9
Appendix 2: Flowchart of the Complaints Process.....	10
Appendix 3: List of Relevant Contacts	11
Appendix 4: Confidentiality and Data Protection	12
Appendix 5: Template for Final Written Response	13

1. Aims

Bristol Hospital Education Service (BHES) is committed to fulfilling its statutory obligations when responding to complaints from parents, pupils, and other stakeholders. In addressing complaints, we strive to:

- Remain impartial and non-adversarial
- Facilitate a thorough, fair investigation, including independent review where necessary
- Address all concerns raised and provide prompt, effective resolutions
- Respect the complainant's confidentiality
- Treat all complainants with respect and courtesy
- Ensure decisions are lawful, rational, reasonable, fair, and proportionate, in line with administrative law principles
- Keep complainants informed throughout the complaints process
- Use feedback from complaints to drive school improvement

BHES aims to resolve concerns informally wherever possible. When informal resolution is not feasible, formal procedures will be followed to ensure that complainants can fully pursue their complaint.

We will also make reasonable adjustments for individuals with specific needs throughout the complaints process.

2. Legislation and Guidance

This policy complies with Section 29 of the Education Act 2002, which mandates that schools, including BHES, have a procedure for handling complaints related to the school and community services. It aligns with the Department for Education (DfE) guidance, including the model complaints procedure and advice on handling serial and unreasonable complaints. The policy is also consistent with Bristol City Council's complaints procedures, ensuring:

- Accessibility of the complaint process
- Fairness and independence in investigations
- Timely written responses
- Commitment to a two-stage resolution process

3. Definitions and Scope

3.1 Definitions

The DfE distinguishes between a concern and a complaint as follows:

- A **concern** is “an expression of worry or doubt over an issue considered important, for which reassurances are sought.”
- A **complaint** is “an expression of dissatisfaction, however made, about actions taken or a lack of action.”

3.2 Scope

While BHES strives to resolve complaints informally, some cases may require formal procedures. This policy applies to complaints that fall within its scope. However, it does not cover complaints related to:

- Admissions
- Statutory assessments of Special Educational Needs (SEN)
- Safeguarding issues
- Exclusions
- Whistleblowing
- Staff grievances or discipline
- School reorganization proposals
- Curriculum-related matters

Separate policies are in place for these issues. Complaints about services provided by external organizations using BHES premises should be directed to the relevant service provider.

4. Roles and Responsibilities

4.1 The Complainant

Complainants should:

- Follow the formal complaints procedure
- Cooperate with BHES and respond promptly to communications
- Seek assistance if needed
- Treat all parties with respect
- Avoid sharing complaint details on social media

4.2 The Investigator

An investigator will be appointed to look into the complaint and:

- Interview all relevant parties and take detailed notes
- Review records and other written evidence while maintaining confidentiality
- Prepare a report with findings and possible solutions for the headteacher or complaints committee

4.3 The Complaints Co-ordinator

The complaints co-ordinator (who could be the headteacher, a designated complaints governor, or another staff member) will:

- Keep the complainant informed throughout the process
- Ensure effective coordination among staff, the headteacher, the chair of the management committee, and Bristol City Council HR
- Maintain confidentiality and ensure compliance with data protection principles
- Record and track the complaints process

4.4 Clerk to the Management Committee

The clerk will:

- Act as the contact point for the complainant and the complaints committee
- Ensure all relevant documentation is circulated before hearings
- Organize the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee Chair

The committee chair will:

- Lead the meeting, ensuring respectful treatment of all parties
- Ensure all parties understand the purpose of the committee and have an opportunity to present their case

5. Principles for Investigation

When investigating complaints, we aim to clarify:

- What has happened
- Who was involved
- What the complainant believes would resolve the issue

5.1 Timeframes

- Complaints should be submitted within three months of the incident, or within three months of the last related incident.
- BHES will consider exceptions for delays if valid reasons are provided and the complaint can still be investigated fairly.
- Complaints received during school holidays will be considered received on the first school day after the holiday.

If BHES cannot meet the stated timeframes, we will:

- Set new time limits in consultation with the complainant
- Inform the complainant of the new deadline and explain the reason for the delay

6. Stages of Complaint (Not Against the Headteacher or Management Committee)

6.1 Stage 1: Informal

BHES treats informal complaints seriously and aims to resolve issues promptly. The complainant should raise concerns with the relevant staff member or headteacher via in-person discussions, phone, email, or letter. If unsure who to contact, they can reach the BHES office at 0117 3772377 or bhesadmin@bristol-schools.uk.

BHES will:

- Acknowledge informal complaints within five school days
- Investigate and respond within 15 school days
- If the issue is unresolved, escalate it to a formal complaint

6.2 Stage 2: Formal

Formal complaints can be submitted via letter, email, or using the complaint form, either by the complainant or a third party. The complainant should include:

- Relevant dates, times, and names of witnesses
- Any relevant documents
- A clear explanation of how they would like the complaint resolved

BHES will:

- Acknowledge receipt within five school days
- Arrange a meeting to discuss concerns, with the option to be accompanied

- Investigate and provide a written response within 20 school days
- If the complainant wishes to escalate, they must notify the clerk within five school days

Next Steps if Dissatisfied with the Outcome of Stage 2

If the complainant remains dissatisfied with the outcome of Stage 2, they can:

1. Escalate to the Complaints Committee

The complainant may escalate the complaint to the Complaints Committee of the Management Committee, which is the final stage of BHES's internal complaints process. The committee will review the complaint and the Stage 2 response and may convene a hearing if necessary.

Contact the Clerk to the Complaints Committee to request escalation:

- Email: ClerkBHES@bristol-schools.uk

2. External Escalation

If the complainant is still dissatisfied, they may escalate the matter to an external body such as:

- **Local Authority:** Contact Bristol City Council for guidance if the complainant believes the school is not complying with policies.
- **Department for Education (DfE):** See Section 9

7. Complaints About the Headteacher

If the complaint concerns the actions of the headteacher, it should follow the formal complaints procedure. If the complainant is uncomfortable addressing the issue directly with the headteacher, they may contact the Chair of the Management Committee, who will ensure an independent party investigates the complaint. If unresolved, the complaint may be escalated to the governing body's complaints committee.

8. Complaints About the Management Committee

If the complaint concerns the actions or decisions of the management committee, the complainant should:

1. Raise the complaint with the Chair of the Management Committee.
2. If the complaint relates to committee conduct or decisions, it will be referred to an independent panel for investigation.
3. If dissatisfied with the outcome, the complainant may refer the matter to an external body such as the Local Authority or the DfE.

9. Making Complaints to the DfE or Ofsted

If a complainant is dissatisfied after completing the school's complaints procedure, they may refer the matter to the Department for Education (DfE) or Ofsted.

9.1 Department for Education (DfE)

The DfE can intervene in cases concerning the school's failure to meet statutory duties or legal requirements. This includes issues like:

- Non-compliance with the National Curriculum
- Exclusion procedures
- Safeguarding failures
- Complaints procedure failures
- Financial mismanagement

9.2 Ofsted

Ofsted investigates complaints about:

- Educational standards
- Inspection processes
- Governance
- Safeguarding and pupil welfare

Appendix 1: Complaint Form Template

This form can be used by complainants to formally submit a complaint. It ensures that all relevant information is provided, streamlining the process for both the complainant and the school.

Bristol Hospital Education Service - Formal Complaint Form

Please complete this form and submit it to the Complaints Coordinator or the relevant staff member.

Complainant Information:

- Full Name: _____
- Relationship to the school (e.g., parent, guardian, pupil, etc.): _____
- Contact Information (phone/email): _____
- Address: _____

Details of Complaint:

- Name of staff member involved (if applicable): _____
- Date(s) of incident(s): _____
- Description of the complaint: (Please include as much detail as possible, including relevant dates, times, and locations)

Desired Outcome:

(What would you like to happen as a result of your complaint?)

Supporting Documentation:

(Please list or attach any supporting documents, e.g., letters, emails, records, etc.)

Signature of Complainant: _____

Date: _____

Appendix 2: Flowchart of the Complaints Process

This flowchart provides a visual representation of the complaints process from informal to formal stages and the potential escalation routes. It helps complainants understand the process step-by-step.

Bristol Hospital Education Service - Complaints Process Flowchart

- 1. Informal Stage (Stage 1)**
 - Complainant contacts staff or headteacher directly
 - Resolution or further clarification sought
 - If resolved, complainant informed of resolution
 - If not resolved, move to formal stage
- 2. Formal Stage (Stage 2)**
 - Formal complaint submitted (via form, email, letter)
 - Acknowledgement within 5 school days
 - Investigation and resolution within 20 school days
 - If not satisfied, escalate to the Complaints Committee
- 3. Escalation to Complaints Committee**
 - Review of complaint by the Complaints Committee
 - Hearing convened if necessary
 - Outcome provided to complainant
 - If dissatisfied, external escalation
- 4. External Escalation**
 - Local Authority (Bristol City Council)
 - Department for Education (DfE)
 - Ofsted

Appendix 3: List of Relevant Contacts

This appendix provides contact details for individuals or bodies that may be relevant during the complaints process, ensuring complainants know where to direct their concerns at various stages.

Bristol Hospital Education Service Contacts

- **Headteacher:**
Name: Philippa Scholar
Tel: 0117 3772377
Email: Philippa.scholar@bristol-schools.uk
- **Clerk to the Management Committee:**
Name: Keira Stobie
Email: ClerkBHES@bristol-schools.uk
- **Chair of the Management Committee:**
Name: David Sawyer
Email: BHESChair@bristol-schools.uk

External Contacts

- **Bristol City Council** (Local Authority)
General Enquiries Tel: 0117 922 2000
Email: customer.services@bristol.gov.uk
Website: bristol.gov.uk
Address: The Old Council House, Corn Street, Bristol, BS1 1JG, United Kingdom
- **Department for Education (DfE)**
Online Complaint Form: [DfE Complaint Portal]
Email: DfE.complaints@education.gov.uk
Post:
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD
- **Ofsted**
Online Complaint Form: [Ofsted Complaints Page]
Email: enquiries@ofsted.gov.uk
Post:
Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD

Appendix 4: Confidentiality and Data Protection

This appendix outlines the procedures BHES will follow to ensure confidentiality and adherence to data protection laws during the complaints process. It also informs complainants of their rights regarding the handling of their personal data.

Bristol Hospital Education Service - Confidentiality and Data Protection Statement

1. Confidentiality

All complaints will be treated with the utmost confidentiality. Personal details and any information related to the complaint will only be shared with individuals involved in the investigation or resolution process, and only on a need-to-know basis.

2. Data Protection

BHES complies with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). Any personal data collected as part of the complaints process will be stored securely and only used for the purpose of resolving the complaint.

- Complainants have the right to access any personal data held by BHES.
- If you wish to make a data access request, please contact [Insert Contact Information].

3. Retention of Records

All records related to complaints will be retained for a specified period, after which they will be securely destroyed.

Appendix 5: Template for Final Written Response

A template for the formal written response to a complainant after the formal stage (Stage 2) has been completed. This ensures consistency in communication.

Bristol Hospital Education Service - Final Written Response Template

Dear [Complainant's Name],

Subject: Response to Your Complaint Regarding [Subject/Issue]

Thank you for your patience while we have reviewed and investigated your complaint. We have completed our investigation and the findings are outlined below:

Complaint Summary:

- [Brief summary of the complaint]

Investigation Process:

- [Summary of steps taken during the investigation, including interviews, evidence reviewed, and actions considered]

Findings and Outcome:

- [Summary of findings]
- [Outcome or resolution provided, including any action taken or recommendations made]

Next Steps:

- [Information on how to escalate the complaint if the complainant is dissatisfied with the outcome]

We hope this resolves the matter to your satisfaction. If you wish to pursue the complaint further, please refer to the steps outlined in the policy.

Thank you for bringing this matter to our attention.

Yours sincerely,

[Name of Investigator/Complaints Coordinator]

[Title]

[Contact Information]