



Complaints Procedure



Approved by:	Kirsty BurrIDGE
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Statement of intent

Blue Sky Learning aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with any complaint against a member of staff or the provision as a whole, relating to any aspects of the provision or the provision of facilities or services. It is designed to ensure that the provision's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the provision provides. This policy outlines the procedure that the complainant and provision must follow.

Once a complaint has been made, it can be resolved or withdrawn at any stage. The Headteacher will be the first point of contact when following the complaint procedure.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2019
- The Education (Pupil Information) (England) Regulations 2005
- The Provision Information (England) (Amendment) Regulations 2016

This policy has also due regard to guidance including, but not limited to, the following:

- DfE (2021) 'Best practice guidance for provision's complaints procedures 2020'
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

This policy operates in conjunction with the following provision policies:

- Records Management Policy
- Child Protection and Safeguarding Policy
- Grievance Policy
- Whistleblowing Policy

About this policy

- This policy and its procedure is intended to allow you to raise a concern or complaint relating to the provision, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To allow for a proper investigation, concerns or complaints should be brought to the attention of the provision as soon as possible. In general, the provision will not consider any complaint that was raised more than 3 months after the event.

Framework of Principles

The procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be easily accessible and publicised.
- Be simple and clear to understand.
- Be impartial.
- Be non-adversarial.
- Allow swift handling within established time limits for action and keeping people informed of progress.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- Provide information to the Alternative Provision Head Teacher so that services can be improved.

1. Complaints Procedure: Raising concerns or complaints

a. Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. The member of staff will ensure the Head Teacher is informed of the outcome.

In the case of serious concerns, it may be appropriate to address them directly to the Head Teacher (or to the Advisory Board, if the complaint is about the Head Teacher).

If you are uncertain about whom to contact, please seek advice from the provision office or the Advisory Board.

b. Formal Stage

If your concern is not resolved at the informal stage you must put the complaint in writing and pass it to the Headteacher, (or to the Advisory Board, if the complaint is about the Headteacher) who will be responsible for ensuring that it is investigated appropriately. This may mean that a member of staff who is not involved in the complaint directly, may be asked to collate information on behalf of the Advisory Team or Headteacher. A Complaint Form is provided to help you (See Appendix A). You should include details that might help the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement about what you hope might reasonably contribute to a resolution of the problem at this stage. Without this, it is much more difficult to proceed.

Please pass the completed form, marked Private & Confidential, in a sealed envelope to the Headteacher or to the Advisory Board, as appropriate.

The Headteacher (or Board) may invite you to a meeting to discuss your complaint and to seek a resolution. If you accept that invitation, a friend may accompany you to help you in explaining the nature of your complaint. It is possible that your complaint will be resolved through a meeting with the Head Teacher (or Board). If not, arrangements will be made for the matter to be referred to the Advisory Board. You should be informed in writing, usually within 15 days of the provision receiving your formal complaint, of how the provision intends to proceed. This notification should include an indication of the anticipated timescale for this process.

The Advisory Board may invite you to a further meeting to discuss your complaint and to seek a resolution. Again, if you accept that invitation, a friend may accompany you to help you explain the nature of your complaint. In any case, you should learn in writing, usually within 5 working days of the Advisory Board receiving your formal complaint, of the outcome.

c. Appeal Procedure

If you are not satisfied with the way in which the process has been followed, you can request that the LA reviews the process followed by the provision in handling the complaint. You must make this request in writing to the LADO, within 10 provision days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed.

d. Review Process

A panel from the Advisory Board will conduct any review of the process followed by the provision. This will usually take place within 10 provision days of receipt of your request. The members of the Advisory Board on the review panel will normally consider written submissions, but will sympathetically consider any reasonable requests to make oral representations.

- The panel will first receive written evidence from the complainant of perceived failures to follow the procedure.
- The panel will then invite representatives of the provision (Usually the Head Teacher), to make a response to the complaint.
- The panel may also have access to the records kept of the process followed.
- The panel will include a 3rd party who is independent of the Advisory Board and not a

member of the provisions Advisory Board

- Findings and recommendations made by the panel will be made available to the complainant and any persons complained about
- A copy of the findings will be kept on site at the provision and be available to the Headteacher and the panel

You, and the provision representatives, will be informed in writing of the outcome, usually within 5 provision days of the panel meeting.

The matter will then be closed as far as the provision is concerned.

If you believe that the Advisory Board has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education.

Records

Findings of the panel, all written records and correspondence will be kept including details of actions taken by the provision as a result of these complaints and regardless of when they are resolved. All records relating to individual complaints will be kept confidential and stored accordingly.

Appendix A



Blue Sky Learning Alternative Provision Complaints Form

Please complete and return toHead Teacher who will acknowledge receipt and explain what action will be taken.

Your Name:

Pupil's Name:

Your relationship to the pupil:

Complainants Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint: What action, if any, have you already taken to try and resolve your complaint (Who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

For Official use only

Date acknowledgement sent:

By whom:

Complaint referred to:

Date