

# MY OASIS

Therapeutic Alternative Provision

## Compliments and Complaints Policy 2026/2027

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## Policy Overview

In accordance with the Education Act 2002, and the Keeping Children Safe in Education (KCSIE), My Oasis Therapeutic Alternative Provision (TAP) has adopted a Compliments and Complaints Policy and Procedure. The framework contained in this document has been designed to enable complaints to be dealt with through an open and transparent systematic process. This is in addition to providing guidance on reporting of any compliments, ensuring we recognise the positive achievements of both students and staff.

The Headteacher is responsible for maintaining an effective complaints procedure and for ensuring all staff are aware of their responsibilities in the event of a parent, carer or student complaining to them.

The majority of issues raised by parents/carers, members of the public, or students are concerns rather than complaints. We are committed to taking concerns seriously at the earliest stage, in the hope of preventing escalation and keeping the number of formal complaints to a minimum, without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure detailed below.

We aim to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial, and confidential manner, and malicious complaints may incur appropriate action by My Oasis.

It is usually proper to disregard anonymous complaints. However, the Headteacher and the Chair of Governors should exercise discretion where the gravity of an anonymous complaint warrants investigation.

This policy is revised where necessary based on the review of the complaints tracker. Any outcomes which require My Oasis to review additional policies and/or procedures will be completed swiftly with notification to all staff.

Complainants who remain dissatisfied following the operation of the school's complaint procedure may refer their concerns to the Secretary of State for Education and Skills.

(This is the policy and procedure for complaints. If the complaint/appeal relates to a suspension, the details of who to write to or appeal to will be documented on the suspension/permanent exclusion letter. Please refer to our Appeals Policy for more information.)

## The First Response

At My Oasis/CLPS Ltd, when an issue is raised, we ask the following questions to determine the proper course of action. Misclassification can lead to unnecessary escalation.

### **Is there an immediate safeguarding risk?**

If so, follow safeguarding procedures right away, as this is not a complaints matter.

### **Is the concern related to staff conduct or employment?**

If yes, use the HR/staff grievance process instead of the complaints procedure.

### **Is the issue informal and quickly resolvable?**

If so, aim for early resolution by addressing it promptly and recording the outcome.

### **Is it a Formal Complaint?**

If the issue remains unresolved informally and does not involve safeguarding or HR, it should be treated as a Formal Complaint, requiring the complete process.

## Process for General School Complaints

The following details outline the stages that can be used to resolve complaints.

### **The Complaints Policy has four main stages:**

**Stage 1 – A concern is raised informally with a member of SLT.**

**Stage 2 – A Formal Complaint is heard by a member of SLT.**

**Stage 3 – A Formal Complaint is heard by the Headteacher.**

**Stage 4 – A formal Complaint is heard by the Governing Board.**

Every concern and/or complaint, regardless of the stage at which it is dealt with, is reported to the Headteacher. Any staff member who takes responsibility for addressing a concern will ensure the Headteacher is made aware, even if a resolution is reached.

A Senior Leadership team (SLT) at My Oasis records complaints on the complaint tracker. This allows themes and trends to be identified.

### **Stage 1 – A concern is raised informally with a member of SLT.**

Concerns can be raised with My Oasis at any time and will often generate an immediate response, usually by telephone or email, which will resolve the concern. We request that parents/carers make their first contact with a senior member of staff at My Oasis. If the complaint is in relation to the Headteacher, we request that the Governing Body be contacted instead.

Most concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 working days. We will then look at your concern at the next stage.

On some occasions, the member of SLT may believe the concern requires promoting to a Formal Complaint, in which case you will receive a formal response within a day or two.

### **Stage 2- A Formal Complaint is heard by a member of SLT.**

After the school is contacted, the member of staff receiving the complaint will report it to the appropriate member of the SLT, who will respond within 34-48 hours to confirm receipt, state the next steps, and provide a clear timescale. The member of the SLT will record the complaint, clarify the precise issue and ask, "what would a satisfactory resolution look like?" to manage expectations.

If an investigation is necessary. This member of staff will gather facts objectively and proportionately. Speak to relevant staff, review records and document everything. A meeting may be convened to discuss the matter further. This meeting will normally take place within 10 working days. The aim will be to resolve the matter as speedily as possible.

Post investigation, a clear and professional written response addressing each point and explaining decisions with reference to school policy. The complaint will be logged and actions and outcomes in a central record, our Complaints Tracker, creating an essential audit trail.

### **Stage 3 - A Formal Complaint is heard by the Headteacher.**

If the complainant is not satisfied, they can be advised to write a Formal Complaint, addressed to the Headteacher at the school's address. The escalation/complaint will be logged, and the complainant will receive an acknowledgement receipt of the complaint within 48 hours of the school receiving it. You will need to tell us why you are still not satisfied and what you would like us to do.

Depending on the nature of the complaint, the Headteacher will investigate or will instruct an external partner/source to complete a full, unbiased investigation if deemed more appropriate.

The person investigating the complaint must make sure that they:

- Establish what has happened so far, and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the complainant or contact them (if unsure or further information is necessary).
- Clarify what the complainant feels would put things right.
- Interview those involved in the matter (the complainant may be accompanied by a friend, in the capacity of an observer, throughout any interviews).
- Conduct the interview with an open mind and be prepared to persist in the questioning.
- Keep notes of the interview.
- Collect statements and evidence.

Following the investigation, the external agency or the Headteacher will normally give a written response within 10 working days.

#### **Stage 4 – A Formal Complaint heard by the Governing Body.**

If the matter has still not been resolved at Stage 3, then you should write to the chair of the Governing Board giving details of the complaint and the actions which have been taken and why you are not happy with previous outcomes. The Chair of Governors will go over all evidence and investigation outcomes before providing a response and/or additional actions carried out to resolve the complaint.

If additional actions are required, the Chair of Governors will convene a complaints panel hearing with a staff Governor, if not directly involved in the complaint; If involved, another member of the Governing Board will be chosen by the Chair of Governors. If it cannot be resolved by the Chair of Governors alone and where necessary, a person independent of the management and running of the My Oasis organisation may be appointed to the panel to act as an independent advisor and mediator. The other members of the panel will be appointed by the Headteacher. The panel hearing allows parents/carers to be in attendance (if they wish) and to be accompanied by another person for supportive purposes only. The hearing will normally take place within 10 working days of the receipt of the written request for Stage 4 investigation. The appeal panel hearing aims to impartially resolve the complaint and to achieve reconciliation between My Oasis and the complainant. All parties will be notified of the panel's decision in writing within 3 working days after the date of the panel hearing. The letter will also contain what you need to do if you wish to take the matter further.

#### **Findings & Recommendations:**

The panel hearings and investigations are intended to make findings and recommendations that may be shared using electronic mail or given to the complainant in the form of a letter, and where relevant, to the person(s) complained about.

### **Written Records:**

A written record will be kept of all complaints made at all stages of the complaints process (from the preliminary stage to the panel hearing). Records and the complaints log will indicate whether complaints have been resolved at the preliminary stages or whether they proceeded to a panel hearing. All correspondence, statements and records relating to individual complaints will be kept confidentially secured on My Oasis premises, available for inspection by the Headteacher or a body conducting an inspection (referring agencies, Local Authority) and governmental bodies (Secretary of State) who require access to them. Additional copies will be held electronically to ensure evidence is always available.

Please refer to our Data Protection Policy for more information.

In cases where the matter concerns the conduct of the Headteacher, they will obviously be informed of the complaint; however, it will be the Governing Body who will arrange for the matter to be investigated and lead on this at this stage.

## Potential Outcomes

The potential outcomes of an investigation may include:

- The complaint is not upheld, and there is no evidence to support it.
- The complaint is not upheld; however, a misunderstanding appears to have occurred, possibly because the person has not had access to the context of the matter or has not been provided with all the facts.
- The complaint is found to be malicious or vexatious.
- The complaint is upheld and requires an admission that the situation could have been handled differently or better.
- The complaint is upheld and requires an assurance that the event complained of will not recur.

This procedure aims to maintain good relationships between My Oasis students and their parents/carers.

Where a complaint is not upheld, the complainant may be invited to meet the Headteacher to receive the outcome of the investigation and the reasons why the complaint has no substance.

Whether or not the complaint is upheld, the complainant may be invited to attend a meeting in order to improve relationships. This can only be achieved by mutual agreement.

Where a complaint is upheld, it may be appropriate for the school to provide an apology to the complainant, an explanation of the steps that have been taken to ensure that it will not happen again and an undertaking to the school's policies in light of the complaint.

Where a complaint is not upheld and the complaint is found to be malicious or vexatious, My Oasis should consider actions available to it to resolve the matter.

A letter should be sent to the complainant to notify them of whether or not the complaint was upheld.

## Process for Complaints/Concerns about Staff

**We want to reassure all parents and carers that should a complaint be made against a member of staff, it will in no way be detrimental to their child.**

Any form of complaint lodged about a member of staff must be passed to the Headteacher. The Headteacher will work with the Governing Board and HR to determine the best course of action to provide a satisfactory outcome for all.

Any complaint received regarding a member of staff in relation to safeguarding is to be passed for investigation to the DSL and the Headteacher, who will offer support to the complainant and liaise with the Local Authority Designated Officer (LADO) where appropriate. Depending on the outcome, they may follow the capability or disciplinary procedures once the complaint has been satisfied with the LADO.

Complaints may include, but are not limited to:

- Inappropriate discipline towards a student
- Inappropriate actions or attitudes toward a parent/carer and/or students
- Lack of effective action, for example, over bullying, racist behaviour and /or inappropriate restraint.

### **Professional Judgement**

During the course of their duties, teachers are required to make professional assessments and judgements on the attainment levels of students and appropriate intervention strategies to support student learning. The Headteacher shall respond to a parental complaint regarding the outcome of a teacher's professional judgment, as this complaint will be against the application of the school's procedure and not the individual's professional judgment.

### **Appropriate Restraint**

For complaints relating to inappropriate physical contact, the Headteacher or the Chair of Governors, in the case of a complaint against the Headteacher, should initially refer to the Child Protection Procedures, particularly where the alleged assault has been reported as a potential crime to the police.

### **Concerns of sexual abuse**

All complaints relating to alleged sexual misconduct shall be dealt with under the Child Protection Procedures in the first instance.

Educational provisions are reminded that under the Sexual Offences Act 2000, certain protocols have been highlighted with regard to what may or may not be considered an appropriate relationship between an employee in a position of trust, e.g. teacher, mentor and a student, irrespective of whether that student is above the age of sexual consent.

Further details regarding safeguarding complaints against staff are explained in our Safeguarding and Child Protection Policy.

Although My Oasis has a duty to keep complainants informed of how their complaint is progressing under the procedure, complainants are not entitled to know if any subsequent management counselling or a disciplinary sanction is given to the member of staff (employee) about whom they have complained. The subject of complaints against staff is confidential. It is vitally important that the complainant and respondent understand this issue.

Further details of this process and the accompanying appeals process can be found in the capability, disciplinary and appeals policies.

In exceptional circumstances, where emotions are running high, it is possible that information is inappropriately placed within the public domain. If this were to occur, My Oasis will be required to put in place a strategy to defuse this situation and maintain the contractual obligation of confidentiality towards the member of staff.