

Complaints & Escalation Policy

XCL Education Malaysia



Approved by:	[Anthony Partington]	Date: [1 Nov 2023]
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Last reviewed on:	[1 Aug 2023]
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Next review due by:	[1 Nov 2024]
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Rationale

All XCL Education Malaysia (XCL MY) schools are required to have a complaints procedure which must be made available to parent or carers of children attending the school and prospective parents or carers via the school website and when requested to do so (free of charge).

XCL MY schools take all concerns and complaints seriously, always seeking to resolve matters quickly, confidentially, fairly and to the mutual satisfaction of all concerned.

Aims

- To provide a system for expressing satisfaction or dissatisfaction with the service provided to customers.
- To deal promptly and professionally with concerns and complaints, always seeking to find a way forward which is agreed and understood by all concerned.

Managing Compliments

- When a compliment is received a compliment form is completed (Annex 1). This is filed in the setting office and a copy sent to the line manager and person concerned.
- A letter is sent to the originator of the compliment thanking them for giving the compliment.
- If appropriate ask the sender of the compliment if their letter may be part of a display.

Managing Complaints

Stage 1: Informal Procedure

Most expressions of dissatisfaction are not formal complaints and are resolved quickly and informally. All concerns/complaints must be treated seriously and responded to within 2 working days of receipt.

If parents have a complaint they should normally contact their son/daughter's teacher. If the teacher cannot resolve the matter alone, it may be necessary to consult with his or her line manager.

A written record must be kept of all concerns and complaints and the date on which they were received (Annex 2). The Principal is responsible for monitoring complaints and ensuring that they are properly managed.

A telephone reply is frequently the most effective way of dealing with a concern/complaint. However, full and clear notes of the conversation must be made (Annex 5). Alternatively the dissatisfied person may be invited into the school setting to discuss the issues informally and to try and agree a resolution. It is advisable to have a senior member of school staff present to assist or mediate and take notes (Annex 5).

It is important to be prepared for the meeting or telephone conversation and to demonstrate good knowledge of the family, the child and the circumstances leading to the person raising the concern.

The dissatisfied person should be informed of the way in which the matter is being dealt with. Any written communications must be printed on headed paper and approved by the Principal or nominated person.

Commitments should not be made on behalf of another person without first checking that they are able to meet that commitment.

Once a concern/complaint has been fully addressed this should be communicated to the person raising the concern.

Should the matter not be resolved within 5 working days or in the event that a satisfactory resolution cannot be reached, the parents will be advised to proceed with their complaint in accordance with stage 2 of this procedure.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis, the parents should put their complaint in writing to the Principal. The Principal will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Principal will meet/speak to the parents concerned, normally within 2 days (and no more than 5 working days) of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Principal to carry out further investigations.

The Principal will keep written records of all meetings and interviews held in relation to the complaint, including a record of the stage at which the complaint was resolved.

Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Principal will also give reasons for his/her decision. A copy of the record of the complaint and associated decision must be placed with XCL MY Head Office for reference and recorded as part of the Head's professional dialogue.

If parents would find it helpful, they should contact the XCL MY Head Office in order to seek a resolution at this stage.

Stage 3 – Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), the matter will then be referred to the Complaints Panel for consideration within 10 working days (see Annex 4).

The complaints panel consists of the following three people, none of whom should be directly involved in the matter detailed in the complaint:

- Representative from XCL MY Head Office
- Independent person (a person who has held a position of responsibility and is used to analysing evidence and putting forward balanced arguments e.g. retired business person, civil servant, Head or senior member of staff at another settings, people with a legal background, retired members of the police force)
- Principal of the setting concerned, or Head of an alternate setting if this is precluded by involvement in the complaint

The Principal is responsible for arranging the panel unless the complaint is against the Principal. In this instance a nominated person from XCL MY Head Office makes the following arrangements:

- Organising the panel meeting & sending letters to all concerned about the details of the hearing including informing the complainant that he/she may be accompanied at the panel hearing if they so wish
- Gathering appropriate information and evidence and circulating to the panel members
- Providing for the panel to make findings and recommendations (at the end of the hearing of evidence the panel adjourns to discuss the evidence and draw conclusions)
- Providing a copy of the findings and recommendations to the complainant, and where relevant, the person complained about within 5 working days; and made available for inspection on the setting premises.
- Ensuring that correspondence, statements and records relating to the complaint are held on file at XCL MY Head Office and are kept confidential.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 5 working days of the hearing. Findings and recommendations will be provided to the complainant and where relevant, the person complained about, and will be made available for inspection in the school.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the setting by the School Standards Regulations; where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

Reporting Compliments and complaints

A written record must be kept of all complaints, and of whether they are resolved at the preliminary stages or proceed to a panel hearing.

Details of compliments and complaints are included in the Principal's professional dialogue. Complaints are monitored by the XCL MY Governance Board.

Serial and Unreasonable Complaints

XCL Education Malaysia's family of schools (XCL MY) is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

XCL MY defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account & commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy & complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact XCL MY causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from XCL MY.



Annex 1: Record of Compliments

Date:	
Name of person making the compliment:	
Name of person receiving the compliment:	
Child's Name (If applicable):	
Child's Class (If applicable):	

Details of the Compliment: (Attach copy of any written communication)



Action Taken: (Who, What, When)

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Reported To:

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Review/Follow Up:

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Annex 2: Setting Record of Concern/Complaint

Date:	
Name of person raising the concern:	
Name of person receiving the concern:	
Child's Name (If applicable):	
Child's Class (If applicable):	

Details of the Concern: (Attach copy of any written communication)



Action Taken: (Who, What, When)

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Reported To:

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Review/Follow Up:

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Annex 3: Complaint FAO of the Principal

Date:	
Name of person making the complaint:	
Name of person receiving the complaint:	
Child's Name (If applicable):	
Child's Class (If applicable):	

Details of the Complaint and action taken so far: (Attach copy of any written communication)



Reasons why the complainant is still dissatisfied:

Action by the Principal:

Annex 4: XCL MY Complaints Form

(for use where a complaint is not resolved at Stage 2)

Name of Person Making the Complaint:	
Setting:	
Child's Name:	
Address of Complainant	
Telephone of Complainant:	

Please give detail of your complaint (Continue on the back of this form if necessary)

Thank you for completing this form. Please send it to:

XXXX XXXX

Principal

Email address: xxxxxxxxxxxx

Annex 5: Parental Consultation Form

Date:	
Name of Child:	
Class:	

Present at Meeting:

Reason for Meeting:

Action:

Date of Next Meeting if Required:	
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Signature.....
(Parent)

Signature.....
(School)