Audenshaw School



This policy is reviewed every two years by the Personnel Committee.

History of Document

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OUR MISSION

Our school aims to provide a quality education in a caring community based on values of respect, responsibility and resilience and a relentless pursuit of excellence in all that we do.

OUR VISION

Our School will be recognised as a fully inclusive, aspirational, high achieving centre of excellence, firmly rooted in the local community.

We will create, develop and maintain a challenging and stimulating personalised learning environment where no student is overlooked or left behind and where teaching and learning is high quality, inspirational and innovative.

We will consistently have high academic standards and expectations for every individual and continue to place considerable value on sport and healthy living and developing strong links with the community.

All members of our school community will be valued and every success will be celebrated.

Our School will maintain a safe, secure and caring environment in which to work and learn.

AUDENSHAW SCHOOL SAFEGUARDING STATEMENT

This School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

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PROCEDURES FOR DEALING WITH COMPLAINTS

Audenshaw School undertakes to provide a friendly and safe environment in which students will be helped to achieve their potential, both academically and socially. The School recognises, however, that sometimes things can go wrong and parents, carers and members of the public may need to make a complaint or raise a concern they have with the School. This Policy confirms what to do if this happens.

For the purpose of this Policy, the "School" is defined as employees, governors, students and third parties such as contractors, agency workers and consultants acting on behalf of the organisation.

1. INTRODUCTION

- 1.1 The School is required to have published a procedure for dealing with complaints, unless separate statutory procedures apply (such as exclusions or admissions). This procedure must provide for complaints to be managed within clear timescales. If initial informal consideration does not resolve the complaint then the procedure must also include steps to escalate a complaint through a written stage and if necessary an appeal hearing before a Panel that includes at least one member who is independent of the School.
- 1.2 The procedure should also set out the details of the process and named individuals who will be responsible for receiving and dealing with the complaint.
- 1.3 The School should ensure parents/carers and students understand all details of the complaints procedure and make complaints information available in other formats (braille, large print, other languages etc).
- 1.4 The School should ensure that parents/carers and students are provided with relevant contact details for the Department for Education (DfE) when a complaint has not been resolved by the School.
- 1.5 The DfE will not usually investigate complaints until the School's own complaints procedure, including any appeal, has been exhausted. When the DFE has reason to believe that the complaint was made to the School and the School has had reasonable opportunity to investigate and respond but has failed to do so or that there are circumstances which mean it is not reasonable for the matter to be brought to the attention of the School, then the DfE may decide to investigate before the School's procedure has been exhausted.
- 1.6 Copies of the DfE procedures should be available for parents/carers when requested.

2. GENERAL PRINCIPLES

- 2.1. Dealing with Complaints Initial Concerns
 - 2.1.1 A clear distinction must be made between a concern and a complaint*. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.
- * A concern is noted as an expression of worry of doubt over an issue considered to be important. A complaint is noted as an expression or statement of dissatisfaction about action taken or a lack of action.
 - 2.1.2 The procedures under this Policy deal specifically with complaints, but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures.

- 2.1.3 The requirement to have a Complaints Policy need not in any way undermine efforts to resolve the concern informally. In most cases a teacher will receive the first approach. Employees should therefore endeavour to resolve issues on the spot, including apologising where necessary.
- 2.1.4 It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the School can be crucial in determining whether the complaint will escalate.

2.2 Dealing with Complaints - Framework

- 2.2.1 Complaints procedures will be invoked only when initial attempts to resolve a concern are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. At this stage a concern will become a complaint.
- 2.2.2 The Administration Officer has been nominated to have responsibility for the operation and management of the School complaints procedure and will be referred to in this Policy as the 'Complaints Co-ordinator'.
- 2.2.3 A three stage complaints procedure has been adopted under this Policy. A complaint may only progress to the next stage of the procedure, where attempts to resolve the issue have failed. The Complaints Co-ordinator will ensure that these procedures are adhered to.

2.3 Framework of Principles

- 2.3.1 These procedures will:
 - encourage resolution of problems by informal means wherever possible;
 - be easily accessible and publicised;
 - be simple to understand and use;
 - be impartial;
 - be non-adversarial, all those involved should treat each other with respect at all times
 - allow swift handling with established time-limits for action and keeping people informed of the progress;
 - ensure a full and fair investigation by an independent person where necessary;
 - respect people's desire for confidentiality; no details of the complaint should be published on social media;
 - address all the points at issue and provide an effective response and appropriate redress, where necessary;
 - provide information to the School's Senior Leadership Team so that services can be improved.

2.4 Investigating Complaints

- 2.4.1 When investigating a complaint, the employee investigating the complaint will ensure that they:
 - establish what has happened so far, and who has been involved (including taking statements);
 - clarify the nature of the complaint and what remains unresolved:
 - meet with the complainant or contact them (if further information is necessary);

- allow the complainant to be accompanied if they wish; the person accompanying them should not be a legal representative.
- clarify what the complainant feels would put matters right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish; but not by a legal representative.
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

2.5 Resolving Complaints

- 2.5.1 At each stage in the procedure the School will endeavour to resolve the complaint; it may be sufficient to acknowledge that the complaint is valid in whole or in part and in addition, to offer one or more of the following:
 - an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur:
 - an explanation of the steps that have been taken to ensure that it will not happen again;
 - an undertaking to review policies in light of the complaint.
- 2.5.2 Complainants are encouraged to state what actions they feel might resolve the problem at any stage. An admission that the School could have handled the situation better is not the same as an admission of negligence.
- 2.5.3 An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

2.6 Vexatious or Persistent Complaints

- 2.6.1 If properly followed, the complaints procedure will limit the number of complaints that become protracted; however, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied.
- 2.6.2 If the complainant tries to reopen the same issue, the Chair of the Board of Governors will be able to inform them, in writing, that the procedure has been exhausted and that the matter is now closed.

2.7 Anonymous Complaints

2.7.1 An anonymous complaint will not be investigated under this policy unless there are exceptional circumstances.

2.8 Time-Limits

2.8.1 A complaint must be raised within 6 weeks of the incident occurring, or in the case of a series of associated incidents, within 6 weeks of the last of these incidents. Complaints made outside of these timescales will only be considered in exceptional

circumstances.

- 2.8.2 Complaints made outside of term time will be considered on the first School day after the break.
- 2.8.3 Complaints need to be considered, and resolved, as quickly and efficiently as possible; however, where further investigations are necessary, new time limits can be set.
- 2.8.4 In this eventuality the complainant will be sent details of the new deadline and an explanation for the delay.

2.9 Complaints Dealt With Under Other Statutory Procedures

Where another statutory procedure is in place, complaints which fall within that procedure will not be dealt with under the complaints procedure. Examples include, but are not limited to

School Admissions
Child Protection
Exclusions
Whistle Blowing
Staff Grievance and Disciplinary matters
and Assessment of Special Educational Needs.

2.10 Closure of complaints

- Very occasionally, the School will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- The School will do all we can to help to resolve a complaint against the School but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the School to the Principal, designated governor, Chair of Governors or anyone else – or to the local authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process.
- In exceptional circumstances, closure may occur before a complaint has reached stage 3
 of the procedures described in this document. This is because a complaints panel takes
 considerable time and effort to set up and we must be sure that it is likely to assist the
 process of investigating the complaint.

3. AN OUTLINE OF THE FORMAL COMPLAINTS PROCEDURE

3.1 The stages are:

Stage One: Complaint heard by employee (not the subject of the complaint). This will be either one of the Vice Principals, an Assistant Principal, Head of Executive Services or HR Manager;

Stage Two: Complaint heard by the Principal;

Stage Three: Complaint heard by a Panel of the Board of Governors.

3.2 An unsatisfied complainant can always take a complaint to the next stage; however, a complaint cannot progress to a higher stage unless the School has been given the opportunity to deal with the complaint in stages one and two.

4. STAGE ONE: COMPLAINT HEARD BY EMPLOYEE

- 4.1 Where a formal complaint is made to the School, the complaint will be referred to the Complaints Co-ordinator. The Complaints Co-ordinator will acknowledge the complaint within 3 School days; ensure that the complaint is investigated by a third party and that the outcomes of the investigation are fed back to the complainant. The nature of the complaint and the outcomes will be recorded.
- 4.2 If the Complaints Co-ordinator considers that, at this stage, the complaint still constitutes a 'concern' they may request that the complainant attempts to resolve the issue informally through direct discussion with the member of staff involved. If this fails to resolve the issue, the formal procedure will then be followed.
- 4.3 The School respects the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular employee. In these cases, the Complaints Co-ordinator can refer the complainant to another employee.
- 4.4 Where the complaint concerns the Principal or a matter relating to the School's strategic or group business, the Complaints Co-ordinator will refer the complainant to the Chair of the Board of Governors.
- 4.5 Where the complaint concerns the Complaints Co-ordinator, the complaint will be referred to the Principal.
- 4.6 Complaints made against the Chair of the Board of Governors or any individual Governor should be made via email to enquiries@trustgs.co.uk marked for the attention of the Clerk to the Board of Governors. Trust Governor Services will then deal with the complaint independently.
- 4.7 If the employee directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complainant to another employee. The employee may be more senior, but does not have to be; the ability to consider the complaint objectively and impartially is crucial.
- 4.8 Where the complainant makes a first approach to a Governor or a Member, they should be referred to the Complaints Co-ordinator and advised about the complaints procedure.
- 4.9 Governors or Members must not act unilaterally, consider an individual complaint outside the formal procedure, be involved at the early stages of the complaint or discuss the matter with other Governors or Members as they may be required to sit on a Panel at a later stage

of the procedure. If they have any concerns about the procedure to adopt, they should seek advice from either the Clerk to Governors, or the Complaints Co-ordinator.

5. STAGE TWO: COMPLAINT HEARD BY PRINCIPAL

- 5.1 If the complainant is dissatisfied with the manner or outcome in which the complaint was handled at Stage One, they will be able to escalate the matter to the Principal for consideration of their initial complaint and the handling of the complaint at Stage One. The complainant should write to the Principal within 5 School days of receiving the Stage One outcome letter, outlining their complaint in full as to why it is felt that the complaint needs to be escalated to Stage Two. The School will reply within 10 School days from the date of receiving the complaint. If the complaint is more complex and additional time is required School will notify the complainant and advise of extension.
- 5.2 The Principal may delegate the task of collating the information to another employee, but must take the decision on the action to be taken as a result.

6 STAGE THREE: COMPLAINT HEARD BY A PANEL OF THE BOARD OF GOVERNORS

- 6.1 If the complainant is dissatisfied with the manner in which the complaint was handled or the outcome at Stage Two, they will be able to escalate the matter to a panel of Board of Governors for consideration of their initial complaint and the handling of the complaint at Stage Two. The complainant should write to the Complaints Co-ordinator within 5 School days of receiving the Stage Two outcome letter.
- 6.2 The complainant should write to the Complaints Co-ordinator giving details of the complaint, and why there is a need to escalate the complaint to Stage 3.
 - The Complaints Co-ordinator will liaise with The Chair of the Board of Governors, or a nominated Governor, who will direct that an Appeal Panel be convened as quickly as possible, and no later than 15 School days after the appeal was received. The complaints Co-Ordinator will receipt the stage 3 complaint received within 3 school days.
- 6.3 A panel hearing will consist of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school.
- 6.4 The Appeal Panel hearing is the last School-based stage of the complaints process and is not convened to merely rubber-stamp previous decisions.
- 6.5 Individual complaints should not be heard by the whole Board of Governors at any stage, as this could compromise the impartiality of any Panel that may be set up for a disciplinary hearing against an employee following a serious complaint.
- 6.6 The Panel will be made up of two Governors drawn from the Board of Governors, and one panel member who is independent of the management and running of the School. The Panel will appoint its own Chair.
- 6.7 The Remit of the Appeal Panel
 - 6.7.1 The Panel may:
 - dismiss the complaint in whole or in part;
 - uphold the complaint in whole or in part;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend changes to the School's systems or procedures to ensure that problems of a similar nature do not recur.

6.7.2 The Panel will:

- be independent and impartial and will be seen to be so; no Governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- where possible ensure in the Panel composition sensitivity to the issues of race, gender, religious affiliation or belief and age;
- be made up of a cross section of different categories of Governor.
- 6.7.3 The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the School and the complainant. It must however be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- 6.7.4 An effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- 6.7.5 The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- 6.7.6 Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The Panel needs to be aware of the views of the child and give them equal consideration to those of the adults involved. Where the child's parent/carer is the complainant, it would be helpful to give the parent/carer the opportunity to say which parts of the hearing, if any, the child needs to attend.
- 6.7.7 The Panel need to be aware of the provisions of the Complaints Policy.

7 Roles and Responsibilities

7.1 The Role of the Clerk

The Appeal Panel will be clerked by the Clerk to the Board of Governors. The Clerk will be the contact point for the complainant and be required to:

- 7.1.1 set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- 7.1.2 will liaise with the complainant and panel of Governors to ensure correct paperwork has been sent and received by the clerk.
- 7.1.3 inform the complainant of the entitlement to be accompanied by a friend or a supporter. The person accompanying the complainant should not be a legal representative
- 7.1.4 collate any written material and send it to the parties in advance of the hearing
- 7.1.5 meet and welcome the parties as they arrive at the hearing
- 7.1.6 take notes on the proceedings
- 7.1.7 notify all parties of the Panel's decision within 10 School days

7.2 The Role of the Chair of the Board of Governors

- 7.2.1 when notified of a complaint, check that the correct procedure has been followed:
- 7.2.2 if a hearing is appropriate, notify the Clerk to arrange the Panel.

7.3 The Role of the Appeal Panel Chair

The Appeal Panel Chair has a key role to ensure that:

- 7.3.1 the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- 7.3.2 the issues are addressed:
- 7.3.3 key findings of fact are made;
- 7.3.4 parents/carers and others who may not be used to speaking at such a hearing are put at ease;
- 7.3.5 the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- 7.3.6 the Panel is open minded and acts independently;
- 7.3.7 no member of the Panel has an interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- 7.3.8 each side is given the opportunity to state their case and ask questions;
- 7.3.9 written material is seen by all parties. If a new issue arises to give all parties the opportunity to consider and comment on it.

7.4 Checklist for an Appeal Panel Hearing

The Panel should take account of the following points:

- 7.4.1 ensure that the complainant has had the opportunity to be accompanied by a friend or supporter at the hearing, but not a legal representative;
- 7.4.2 the hearing is to be as informal as possible;
- 7.4.3 witnesses are only required to attend for the part of the hearing in which they give their evidence;
- 7.4.4 after introductions, the complainant is invited to explain their complaint, and be followed by their witnesses;
- 7.4.5 the Principal may question both the complainant and the witnesses after each has spoken;
- 7.4.6 the Principal will then be invited to explain the School's actions and call witnesses on behalf of the School;
- 7.4.7 the complainant may question both the Principal and the witnesses after each has spoken;
- 7.4.8 the Panel may ask questions at any point;
- 7.4.9 the complainant is then invited to sum up their complaint;
- 7.4.10 the Principal is then invited to sum up the School's actions and respond to the complaint;
- 7.4.11 the Panel Chair will then explain that both sides will hear from the Panel within a set timescale:

7.4.12 both sides will leave together to enable the Panel to decide on the issues, the Clerk will remain with the Panel.

8. Notification of the Appeal Panel's Decision

- 8.1 The Panel Chair will ensure that the complainant is notified of the Panel's decision, in writing, with reasons for that decision within 10 School days.
- 8.2 The letter will also provide relevant contact details for the Department for Education (DFE).

9. Recording Complaints

- 9.1 The School will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. Wherever possible, complaints should be made using the School complaints form (Appendix 2).
- 9.2 At the end of a meeting or telephone call, it is important for the member of staff involved to ensure that the complainant and the School have the same understanding of what was discussed and agreed.
- 9.3 A brief note of meetings and telephone calls should be kept and a copy of any written response added to the record.
- 9.4 When the panel make findings and recommendations, a copy will be provided to the complainant and, where relevant, the person complained about.
- 9.5 The findings and recommendations of the panel will be available for inspection on the School premises by the Chair of Governors and the Principal.
- 9.6 The School will record the action it takes as a result of complaints (regardless of whether they are upheld).
- 9.7 Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

9.8 Managing Serial and Unreasonable Complaints.

- 9.8.1 Audenshaw School 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.
- 9.8.2 Audenshaw School 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 offer of assistance
 - Refuses to co-operate with the complaints investigation process
 - Refuses to accept that certain issues are not with 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 and 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 of Education
- Seeks an unrealistic outcome
- Makes excessive demands on School time by frequent, lengthy and complicated contact
 with staff regarding the complaint in person, in writing, by e-mail, and by telephone while
 the compliant 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
- 9.9 Complaints should try to limit their communication with the School that relates to their complaint, while the complaint is being processed. It is not helpful if repeated correspondence is sent (either by letter, phone, e-mail or text) as it could delay the outcome being reached.
- 9.10 In the event of continued contact, the Principal will write to the complainant to advise them such. A communication plan specifying methods and numbers of contact may be implemented where necessary.
- 9.11 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 Audenshaw School.

10. Board of Governors - Complaints Monitoring

- 10.1 The Board of Governors will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the Board of Governors will not name individuals.
- 10.2 As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to School improvement. When individual complaints are heard, the School will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the School and the Board of Governors is a useful tool in evaluating performance.
- 10.3 Complaints data will be reviewed annually.

11. Resubmitted Complaints

11.1 The School also reserves the right not to consider a complaint that has been re-submitted with only minor differences after it has addressed the original complaint. If the complainant contacts the School again on the same issue at the end of the full procedure, the correspondence will then be viewed as 'serial' or 'persistent' and the School is unlikely to respond. This is in line with national guidance (2019). The Chair of Governors may inform the complainant in writing that the procedure has been exhausted and the matter is now closed. This School will not take lightly the decision to stop responding. It will only be done when the School believes it has taken every reasonable step to address the concerns in line with policy at each stage.

12. Complaint Campaigns

12.1 If the School becomes the focus of a campaign and receives a large number of complaints all based on the same subject or from complainants unconnected to the School, the School will either send a template response to all complainants or publish a single response on our website. If the complainants remain dissatisfied the School will signpost them to the Department for Education.

13. What the policy does not cover

- 13.1 Procedure does not cover exclusions, admissions, staff grievances or disciplinary procedures. Complaints against School re-organisation proposals are not part of this procedure. Concerns about statutory assessment of special educational needs should be raised directly with local authorities. Matters likely to require child protection investigation should be handled under the School's child protection and safeguarding policy and in accordance with statutory guidance. Complaints about services provided by other providers who may use the School premises or facilities should be directed to follow the external provider's own complaints' procedure. Complaints about the delivery to RE or Relationships and Sex Education are for Schools to resolve under this procedure.
- 13.2 Complaints about staff. Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

14. Publicising the Procedure

14.1 There is a legal requirement for the Complaints Policy to be published and the School's Complaints Policy will be included on the School website.

Appendix 1

Audenshaw School Complaint Record Form

Please complete and return to Mrs E Spencer, Complaints Co-ordinator who will acknowledge receipt within three School days and explain what action will be taken. spencere@audenshawschool.org.uk

Your Name:	
Tour name:	
Student's Name (if relevant):	
,	
Very relation skip to the Children (if relevant).	
Your relationship to the Student (if relevant):	
Address:	
Books to	
Postcode:	
Day time telephone number:	
Evening telephone number:	
·	
Please give details of your complaint:	
riease give details of your complaint.	

What action, if any, have you already taken to try and resolve 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?)
(Who did you opout to and what was the response.)
What actions do you feel might resolve the problem at this stage?

Are you offeehing any nanemusels? If on places size details						
Are you attaching any paperwork? If so, please give details.						
Cimpatura						
Signature:						
Date:						
Official Use						
Date acknowledgement sent:						
Dec 14/1- a mark						
By Whom:						
Complaint referred to:						
Date:						