

Complaints Procedure for Parents Policy

Leehurst Swan School



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| Approved by: |  Headmaster  Chair of Governors | Date: 10/05/2021 |
| Last reviewed on: | 10/05/2021 | |
| Next review due by: | 10/05/2022 | |

This policy applies to the whole school including EYFS and is available on the school website for parents to access.

1. Aim of Policy

Leehurst Swan welcomes suggestions and comments from parents, guardians and pupils and takes seriously complaints and concerns they may raise. Our reputation is important, and it is in the interest of the school to deal with any concerns promptly. This policy is made available to all parents on request and is sent with the joining instructions to all new parents of the school. This Policy applies to the whole school and the EYFS and is published on the school website for parents.

A complaint will be treated as an expression of genuine dissatisfaction, which needs a response.

We wish to ensure that:

- parents and pupils wishing to make a complaint know how to do so;
- we respond to complaints within a reasonable time and in a courteous and efficient way;
- parents realise that we listen and take complaints seriously;
- we take action where appropriate;
- all written complaints relating to the fulfilment of the EYFS requirements are investigated and the complainant receives the outcome of the investigation (in writing or by email if requested) within 28 days of having made the complaint.

2. Complaints Procedure

“How should I complain?”

2.1 Informal Complaints Procedure

It is hoped that most complaints and concerns will be resolved quickly and informally. Complainants should raise all complaints with their form teacher or pastoral co-ordinator in the first instance. In the case of parents, any member of staff will be happy to help. It may be best to start with the person most closely concerned with the issue. They may be able to sort things out quickly with the minimum of fuss. You can talk directly to a member of staff, write a letter (or email) or telephone. However, you may prefer to take the matter to a different member of staff such as a Head of Department. Be as clear as possible about what is troubling you. The member of staff concerned will keep a written record of your complaint and the date on which it was received.

“I don't want to complain as such, but there is something bothering me.”

The school is here for you and your child and we want to hear your views and your ideas. Contact a member of staff as described above.

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“I am not sure whether to complain or not.”

If, as parents, you have concerns you are entitled to complain. If in doubt you should contact the school as we are here to help.

“What will happen next?”

If you raise something face to face or by telephone it may be possible to resolve the matter immediately and to your satisfaction. If you have made a complaint via e-mail, we will contact you within 5 school days to respond to your concerns and explain how we propose to proceed.

In many circumstances the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given an indication of when you will receive a response. If a detailed exploration of the issues is needed, a letter or report will be sent to you as quickly as possible and usually within seven working days. This will tell you the outcome of your complaint. It will explain the conclusion, the reasons for it and any action taken or proposed.

“What happens about confidentiality?”

Correspondence, statements and records relating to individual complaints are 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. Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Headmaster, the Chair of Governors, if findings and recommendations are requested, and those directly involved, for example, a person being complained about would be provided, if relevant, findings and recommendations of a complaint made.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or it became necessary to refer matters to the Police. You would be informed.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints may not be pursued.

Action which needed to be taken under staff disciplinary procedures as a result of complaints would be handled confidentially within the school.

“What if I am not satisfied with the outcome?”

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered. Should the matter not be resolved to your satisfaction within 7 school days then parents are to advance to the formal complaints stage of this procedure.

2.2 Formal Complaints Procedure

If you are not satisfied with the outcome you should write or email in the first instance to the Headmaster. The School recognises its obligations under the Equality Act 2010, and alternative communication preferences will be accommodated in any stage of the complaint's procedure.

The Headmaster will speak to the parents within 5 school days of receiving the complaint to discuss the matter. It may be necessary for the Headmaster to carry out further investigations. Written records will be kept by the Headmaster of all meetings and interviews with regard to the complaint. Once all the relevant facts have been established, a decision will be made by the Headmaster and parents will be informed of this decision and the reason for this in writing within 5 days of the meetings with parents.

If the complaint is against the Headmaster, parents should write to the Chair of Governors directly and he/she will speak to the parents within 5 school days of receiving the complaint. The Chair of Governors will call for a full report from the Headmaster and for all the relevant documents. The Chair of Governors may interview staff. Once the facts have been established, the complainants will be informed of the decision and the reason for this by the Chair of Governors in writing within 5 days of the meeting with the complainant.

If at any stage in the complaints procedure, there is no response from the complainants within a month, the matter will be assumed to be closed and resolved.

“What happens if I am still not happy?”

If you are not satisfied with the outcome of the second stage in the procedure, you may wish to progress your complaint to the final stage in the complaints procedure and write directly to the Clerk to the Governors and ask for a panel to review your complaint.

3. Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee, which will be formed of the first two, impartial governors available and a third person who is independent of the school's management and leadership. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three people with no prior involvement or knowledge of the complaint. Prior to the meeting, a Chair of the Complaints Committee will be appointed.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Panel's final decision and reasons for this will be sent to the complainant alongside the findings and recommendations the Panel may make. These will be sent to the complainant in writing within 10 school days of the Panel hearing.

4. External Authorities

All parents are also entitled to refer a complaint unresolved after panel hearing to an external authority. ISI is the inspecting authority for Independent Schools. Parents with children in EYFS (reception class) may also refer the unresolved complaint to the regulatory authority, Ofsted. The contact details for both organisations are:

Independent Schools Inspectorate

CAP House
9 - 12 Long Lane
London
EC1A 9HA

Telephone 020 7600 0100

Ofsted

Piccadilly Gate
Store Street
Manchester
M1 2WD

Telephone 0300 123 4666

5. Complaints Record Keeping

Following resolution of a complaint, the school will keep a written record of all formal complaints and whether they are resolved at the formal stage or proceed to panel

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hearing. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised*
- Name of parent*
- Name of pupil*
- Description of the issue*
- Records of all the investigations (if appropriate)*
- Witness statements (if appropriate)*
- Name of member (s) of staff handling the issue at each stage*
- Copies of all correspondence on the issue (including emails and records of phone conversations)*

In line with external authority guidelines for the recording of formal complaints, all will be kept on file for 3 years and, if requested by authorities the school, will provide a written record of all complaints made during any specified period, and the action which was taken as a result of the complaint.

All data stored for the purposes of complaint record keeping will comply with legislation in the Data Protection Act 2018, GDPR and comply with obligations under the Freedom of Information Act 200 and the Equality Act 2010.

6. Confidentiality and Disclosure

The school recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential, except to the extent required by paragraph 6(2)(j) of the Education (Independent school Standards) (England) regulations 2003, by the Secretary of State for Children, Schools and Families, or where disclosure is required in the course of the school's inspection (section 162A) or under any other legal obligation that prevails.

7. Log of Formal Complaints

| Formal Complaints Registered in Academic Year | Resolution/Stage |
|---|---|
| 2018-2019 - 2 | 1 - Resolved at stage 2 of complaints procedure 1 - Stage 3 Panel hearing Decision |
| 2017-2018 - 2 | 1 - Resolved at stage 2 of complaints procedure 1 - Stage 3 - Panel hearing decision |
| 2016-2017 - 1 | 1 - Resolved at stage 2 of complaints procedure |