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Parental Complaints Policy and Procedures

St Aubyn's (Woodford Green) School Trust

1 Introduction

1.1 The School's Parental Complaints Policy and Procedures (this **Policy**) is drafted in accordance with Part 7 of the Education (Independent School Standards) Regulations 2014 and is made available to parents of pupils and parents of prospective pupils on the School's website and in hard copy from the School office.

1.2 The School aims to ensure that any complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, we will review our systems and procedures in light of the circumstances of the complaint.

1.3 We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment and so we need to know as soon as possible if there is any cause for dissatisfaction. Parents and pupils should never feel that making a complaint will adversely affect a pupil or his / her opportunities at the School.

1.4 This Policy applies to complaints from parents of current pupils (including parents of pupils in the School's Early Years Foundation Stage) and to parents of former pupils if the complaint was raised when the pupil was registered at the School.

1.5 We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to **working days**, we mean Monday to Friday, when school is open during term time. The dates of terms are published on the School's website.

1.6 It is expected that the complaints procedure will progress in a timely manner. The School aims to resolve any complaint efficiently and promptly and parents are encouraged to bring any complaints to the School's attention as soon as possible after any incident causing concern.

2 Management of complaints

2.1 The School's complaints procedure has three stages:

2.1.1 **Stage 1**: informal raising of a complaint with a member of staff orally or in writing - further details of this procedure are set out in Appendix 1

2.1.2 **Stage 2**: a formal complaint in writing to the Head - further details of this procedure are set out in Appendix 2

2.1.3 **Stage 3**: reference to the Complaints Panel - further details of this procedure are set out in Appendix 3

2.2 Separate procedures apply in the event of a child protection issue, or if the Head expels or requires the removal of a pupil from the School and the parents seek a review of that decision.

3 Record keeping and confidentiality

3.1 A written record will be kept of all formal complaints, and of whether they were resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld). Details of the number of formal complaints registered during the preceding school year is available from the Head’s PA via the School office.

3.2 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

3.3 A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted and the Independent School's Inspectorate on request.

3.4 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

4 Complaints to Ofsted and the Independent School's Inspectorate

4.1 Parents of children in the School's Early Years Foundation Stage have the right to contact Ofsted and / or ISI if they believe the School is not meeting the EYFS requirements.

4.2 Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.

4.3 ISI can be contacted at concerns@isi.net or on 020 7600 0100.

Appendix 1 Stage 1 - dealing with concerns and difficulties informally

1 Informal resolution of a complaint

1.1 We expect that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

2 Who to contact

2.1 Where appropriate, complaints should initially be raised as follows:

2.1.1 **Educational issues**: if the matter relates to the classroom, the curriculum or special educational needs, please speak or write initially to the pupil's tutor. Your complaint may be passed to a more senior member of staff if appropriate

2.1.2 **Pastoral care**: for complaints relating to matters outside the classroom, please speak or write to the Head of Department

2.1.3 **Disciplinary matters**: a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it / the Head of Department

2.1.4 **Financial matters**: a query relating to fees or extras should be addressed in writing to the Bursar

2.2 A complaint against the Head of the School should be put in writing to the Chair of Governors who will follow the procedure set out in Stage 2.

2.3 An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.

2.4 A complaint which has not been resolved by informal means to the satisfaction of the parents within 15 working days should be notified in writing as a formal Stage 2 complaint using the procedure set out in Appendix 2.

Appendix 2 Stage 2 - formal complaint

1 How to make a formal complaint

1.1 If a parent is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, the complaint should be made under Stage 2.

1.2 The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Head of the School.

1.3 The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

2 Investigation

2.1 The Head will ask a senior member of staff to act as Investigator and may involve one or more Governors. The Investigator(s) may request additional information from you and may wish to speak to you personally and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation which will be considered by the Head.

3 Decision

3.1 The Head will then notify the complainant by email or letter of his / her Stage 2 decision and the reasons for it within 28 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.

3.2 Please note that any complaint received within one month of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

3.3 If a parent is dissatisfied with the Head's decision, the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

3.4 Early Years Foundation Stage (**EYFS**): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 28 days of the complaint being received.

Appendix 3 Stage 3 - Complaints Panel

1 What is a Complaints Panel Hearing?

1.1 A Complaints Panel Hearing (**Hearing**) is a review of the decisions taken at Stage 2 by the Head (or in circumstances where the formal complaint concerns the Head, the Chair of Governors appointed to act in his / her place). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

1.2 The role of the Complaints Panel is to establish the facts surrounding the complaint that has been made by considering:

1.2.1 the documents provided by both parties

1.2.2. any representations made by the Parents and the Head

and to then reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part.

1.3 It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.

2 How to request a Hearing

2.1 A request for a Hearing must be put in writing to the Clerk to the Governors and will usually only be considered if the procedures at Stages 1 and 2 have been completed.

2.2 The written request should include:

2.2.1 a copy of all relevant documents and full contact details

2.2.2 details of all the grounds of the complaint and the outcome desired

2.2.3 a list of the documents which the parents believe to be in the School's possession and wish the Complaints Panel to see

2.2.4 whether you propose to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.3 below)

2.3 If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this who will be happy to make appropriate arrangements.

2.4 The Clerk to the Governors will acknowledge the request for a Hearing in writing within two working days of receipt during term time and as soon as practicable during the holidays.

2.5 Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half terms or school holidays.

3 Planning the Hearing

3.1 As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Clerk to the Governors will send written notification to each party of the date, time and place of the hearing.

3.2 Copies of any additional documents you wish the Complaints Panel to consider should be sent to the Clerk to the Governors to be received at least five working days prior to the Hearing.

3.3 You may be accompanied to the Hearing by another person, for example, a relative or friend. The Hearing is not legal proceedings and so legal representation is not necessary. If you do wish to be accompanied by someone who is legally qualified, you should have notified the Clerk to the Governors of this in your initial request for a Hearing. If you did not do so and subsequently wish to be accompanied by a legally qualified person, you must inform the Clerk to the Governors of this at least five working days prior to the Hearing and the parents should note that the Complaints Panel will wish to speak to the parents directly. This person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.

3.4 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

4 Composition of the Complaints Panel

4.1 The Complaints Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one independent member who has no connection with the governance, management or running of the School.

4.2 The parents may ask the Clerk to the Governors to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.

4.3 The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

5 The Hearing

5.1 The Hearing will be conducted in an informal manner.

5.2 The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

5.3 All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Complaints Panel will take a handwritten minute of the proceedings.

5.4 All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

5.5 The Chair may, at his / her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

5.6 A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

5.7 When the Chair of the Panel considers that all the issues have been sufficiently discussed, he / she will conclude the Hearing.

6 The Decision

6.1 The Complaints Panel will reach a decision on the balance of probabilities unless there is an agreed position.

6.2 The decision, findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about, within five working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Governing Body and the Head.

6.3 The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.