

 **Parental Concerns and Complaints Policy**



# Introduction

The School aims to ensure that any concern or complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible. We will try to resolve every concern or 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. Such a process provides information to the School's senior leadership / management team so that services can be improved.

* 1. 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.
	2. **"Parent**(**s)" / "You"** includes a current or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the School.
	3. 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. Scope and application
	1. This policy applies to the whole school including the Early Years Foundation Stage (EYFS).
	2. This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where the parent seeks action by the School.
	3. Separate procedures apply in the event of a child protection issue as outlined in the safeguarding and child protection procedures policy.
	4. If the head expels or requires the removal of a pupil from the School and the parents seek a Review of that decision, the School's Expulsion and Removal review procedure applies.
	5. This policy applies to complaints from each of the following:
		1. parents of current pupils;
		2. parents of former pupils if the complaint was initially raised when the pupil was registered at the School.
	6. Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's complaints procedures.
	7. All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, other pupils or parents.
2. Regulatory framework
	1. This policy has been prepared to meet the School's responsibilities under:
		1. Education (Independent School Standards) Regulations 2014;
		2. Statutory framework for the Early Years Foundation Stage (DfE, March 2017);
		3. Education and Skills Act 2008;
		4. Childcare Act 2006;
		5. Data Protection Act 2018 and General Data Protection Regulation (GDPR); and
		6. Equality Act 2010.

# Management of complaints

* 1. The School's complaints procedure has three stages:
		1. **Stage 1:** informal raising of a concern or difficulty with a member of staff orally or in writing. Further details of this procedure are set out in Appendix 1.
		2. **Stage 2:** a formal complaint in writing to the Head. Further details of how to make a formal complaint and the relevant procedures are set out in Appendix 2.
		3. **Stage 3:** a reference to the Complaints Panel. Further details of how to request a Panel Hearing and the procedures to be followed are set out in Appendix 3.
	2. A summary (procedural flowchart) of the School's complaints procedure is set out in Appendix 4.

# Confidentiality

* 1. A written record will be kept of all complaints, and
		1. of whether they were resolved at Stage 1, Stage 2 or proceeded to a Panel hearing.
		2. Of action taken by the school as a result of those complaints (regardless of whether they are upheld)
	2. The number of formal complaints registered during the preceding school year will be supplied to parents on request.
	3. 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 a school's inspection or under other legal authority.
	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.

# Complaints to Ofsted and the Independent Schools Inspectorate

* 1. Although the School is inspected by ISI, an independent organisation which reports to the Government on schools, parents of children in the School’s Early Years Foundation Stage have the right to contact Ofsted if they have a complaint that has not concluded to their satisfaction through the School's procedure. Such parents can report their concerns to Ofsted on 0300 123 4666 or at enquiriesofsted.gov.uk.

All other parents have the right to contact the Independent Schools Inspectorate (ISI) if they have a complaint that has not concluded to their satisfaction through the School's complaints procedure. ISI can be contacted on 020 7600 0100 or at concerns@isi.net

* 1. It is expected that complaints will go through the School's complaints procedure before Ofsted or ISI is contacted.

# Version control

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| --- | --- |
| Date of adoption of this policy  | September 2018  |
| Date of last review of this policy  | September 2019  |
| Date for next review of this policy  | September 2020 |
| Policy owner (SLT)  | Head Teacher  |
| Policy owner (Proprietor)  | The Proprietor  |

# Appendix 1 Stage 1 - dealing with concerns and difficulties informally

1. **Informal resolution of a concern**

1.1 We expect that most concerns 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.

# Who to contact

1. Where appropriate, concerns should initially be raised as follows:
	1. **Educational issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write initially to the relevant teacher. Your concern may be passed to a more senior member of staff if appropriate such as the SENCO, if the concern relates to Additional Educational Needs, for example.
	2. **Pastoral care:** for concerns relating to matters outside the classroom, please speak or write to the Form Tutor or Class Teacher. Your concern may be passed to a more senior member of staff such as the Leader of EYFS or the Pastoral Deputy Head Teacher if appropriate.
	3. **Disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised in the first instance with the member of staff who imposed it.
	4. **Financial matters:** a query relating to fees or extras should be stated in writing to the Head of Finance at ILG; contact details available from the school office.
	5. An informal complaint will be acknowledged by telephone, email or letter within three working days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and / or a meeting with the parent.
	6. Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue.
	7. The parent will receive a response to the complaint within 15 working days.
	8. If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in **Error! Reference source not found.**.
2. Complaints about the Head
	1. The procedure for dealing with an informal complaint about the Head of the School is set out below:
		1. parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1;
		2. the Head will acknowledge informal complaints within three working days and will seek to resolve the matter under this Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the initial complaint;
		3. if the parent is dissatisfied with the Head's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2
	2. Alternatively, parents may choose to make their complaint about the Head in writing to the Proprietor (via the School Secretary). In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

# Appendix 2 Stage 2 - formal complaint

1. **How to make a formal complaint**
	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 should, the complaint should be escalted to the formal stage; **Stage 2**.
	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.
	3. The complaint will be acknowledged by telephone, e-mail or letter within two 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.

# Investigation

* 1. The Head will ask a senior member of staff or director to act as Investigator. 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.

# Decision

* 1. The Head will then notify the complainant by telephone, e-mail or letter of his / her Stage 2 decision and the reasons for it within 10 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.
	2. Please note that any complaint received within one week 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. The Head will record the complaint in the concerns log along with any actions taken by the school as a result of the complaint regardless of the outcome decision.
	4. 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 set out in Appendix 3.

# Appendix 3 Stage 3 - Complaints Panel

1. **What is a Complaints Panel hearing?**
	1. A Complaints Panel hearing is a review of the decisions taken at Stage 2 by the Head (or in circumstances where the formal complaint concerns the Head, a director is 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.
	2. The role of the Panel is to establish the facts surrounding the complaints that have been made by considering:
		1. the documents provided by both parties and
		2. any representations made by the Parents and the Head

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

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

# How to request a Complaints Panel hearing

* 1. A request for a hearing before the Complaints Panel must be put in writing to the proprietor within five working days of the decision complained of. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed.
	2. The written request should include:
		1. a copy of all relevant documents and full contact details
		2. details of all the grounds of the complaint and the outcome desired
		3. a list of the documents which the parents believe to be in the School's possession and wish the Panel to see and
		4. whether you propose to be accompanied to the hearing by someone who is legally qualified (see paragraph 2.8 below).
	3. If assistance with the request is required, for example because of a disability, please inform us of this and we will be happy to make appropriate arrangements.
	4. We 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.
	5. Every effort will be made to enable the hearing to take place within 15 working days of receipt of the request. However, note that the Panel will not normally sit during half terms or school holiday

# Planning the hearing

* 1. As soon as reasonably practicable, and in any event at least ten working days before the hearing, we will send written notification to each party of the date, time and place of the hearing.
	2. Copies of any additional documents you wish the Panel to consider should be sent to the to be received at least five working days prior to the hearing.
	3. You may be accompanied to the hearing by another person, for example a relative, teacher or friend. The Panel 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 us of this in your initial request for a Panel hearing. If you did not do so and you wish to be accompanied by a legally qualified person, you must inform the us of this at least five working days prior to the hearing and the parents should note that the Panel will wish to speak to them directly and this person will not be permitted to act as an advocate.
	4. We will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least three working days prior to the hearing.

# Composition of the Panel

* 1. The Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances on the complaint, including at least one panel member who is independent of the management and running of Study School.
	2. The parents may ask who has been appointed to sit on the Panel ahead of the hearing.
	3. The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings.

# The Panel hearing

* 1. The hearing will be conducted in an informal manner.
	2. All those present at the hearing shall have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.
	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 Panel will take a handwritten minute of the proceedings.
	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. If terminated, the original decision will stand. 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. 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.
	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.

# The decision

* 1. The Panel will reach a decision on a balance of probabilities unless there is an agreed position.
	2. The decision, findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about; by electronic mail, normally within five working days of the hearing. If the parents do not wish to receive the decision by electronic mail, they should inform us of this so that a copy may be given or posted to them.
	3. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Proprietor and the Head.
	4. Actions taken by the school as a result of the complaint regardless of the findings will also be recorded in the school’s complaints log.
	5. The completion of Stage 3 represents the conclusion of the School's complaints procedure.

# Appendix 4 Procedural flowchart

Do you have a complaint or concern

which can be dealt with informally?

Yes

No

Follow the informal

procedure under **Stage 1**.

Proceed to **Stage 2**:

submit a formal complaint in writing to the Head.

No

Was your complaint

resolved informally within 15 working days?

Was the complaint dealt

with satisfactorily at **Stage 2**?

Yes

Yes

**Resolved**

**Resolved**

No

Follow the procedure for

**Stage 3**: a reference to the complaints panel.

**Conclusion of the**

**School's complaints procedure**