

REDCOURT ST ANSELM'S



POLICY FOR SCHOOL COMPLAINTS PROCEDURE

[Including EYFS, KS1, KS2, Before and After
School Care]

REVIEW DATE: October 2018

R Jones
September 2017

**This policy has been produced in consultation with the
Governors and Staff at Redcourt in reference to
our Mission Statement:**

“Growing Together in God’s Love”

References

ISI Handbook for the Inspection of Schools – The Regulatory Requirements, September 2017, September 2015 (www.isi.net/)

The Early Years Foundation Stage: Statutory Framework
(www.education.gov.uk)

KCSiE 2016 Part 1 including Annex A
CTSA 2015

Please read this Policy with reference to:

Whistle Blowing – Raising Reasonable Concerns about Professional Malpractice Policy
All School Policies

Redcourt St Anselm’s seeks to promote fundamental British values at every opportunity having due regard for the need to prevent people being drawn into radicalisation and terrorism.

The Regulatory Framework

All independent schools are required by law to draw up and implement a complaints procedure for parents of pupils pursuant to Part 7 of the Education (Independent School Standards) Regulations 2014 (“ISS Regulations”).

The January 2015 edition of the ISI’s “Handbook for the Inspection of Schools” provides details on its inspection framework applicable to schools, including their EYFS settings.

The notion of a complaints procedure for schools is not a new one. Indeed, the Children Act 1989 and the NMS for Boarding Schools both anticipated a formalised means of handling complaints in boarding schools. In addition, both the rules of natural justice and the European Convention on Human Rights protect the right to a fair hearing and thereby underpin a modern culture that recognises a need for the open, fair and independent handling of complaints. Although in theory the ISS Regulations do not guarantee that the rules of natural justice and Convention Rights, to the extent that they apply, will be satisfied, in practice they will almost certainly do so.

The “manner in which complaints are to be handled” is set out in part 7 of Schedule 1 to the ISS Regulations. Schools must ensure that they have in place a complaints procedure that complies with those provisions. Schools will also need to be aware that details of the complaints procedure, and of the number of complaints registered under the formal procedure

during the preceding school year, will have to be “made available” to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, in accordance with the provision of information requirements in Part 6 of Schedule 1 to the ISS Regulations.

The attached complaints procedure is intended as an example of procedure that meets the requirements of Part 7 of Schedule 1 to the ISS Regulations. Inevitably elements of it extend beyond those requirements and schools feel free to adapt those elements as they see fit (subject to consulting their legal advisers).

PREFACE TO COMPLAINTS POLICY

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 school by paragraph 25(k) of Schedule 1 of the Education (Independent Schools Standards) (England) 2010; that is where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requires access to them.

The school is here for your child and you can be sure that he/she will not be penalized for a complaint raised in good faith.

**Parents have the right to refer their complaint to the Independent Schools Inspectorate, CAP House, 9 – 12 Long Lane, London, EC1A 9HA
Telephone 020 7600 0100.**

**Parents of children in the Early Years Foundation Stage also have the right to refer their complaint to Ofsted, Royal Exchange Buildings, St Ann’s Square, Manchester, M2 7LA
Telephone 0300 123 1231.**

Redcourt will provide ISI, on request, a written record of all complains made during any specific period, and the actions which was taken as a result of the complaint. The record of any such complaints will be kept for at least three years.

Parents also have the right to refer their complaint to the Secretary of State for Education, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P, 3BT. Telephone: 0370 000 2288

The number of formal complaints in	2009 – 2010 = 0
	2010 – 2011 = 0
	2011 – 2012 = 1
	2012 – 2013 = 1
	2013 – 2014 = 0

2014 – 2015 = 3

2015 – 2016 = 6

2016 – 2017 = 3

Complaints Procedure

A legal requirement, an Independent Schools Inspectorate (ISI) Reporting Standard, a National Minimum Standard (NMS) for Boarding Schools and an OFSTED standard for EYFS providers.

Aims

Redcourt - St Anselm's School is an open community set within a Christian school. Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all issues. We provide sufficient opportunity for any complaint to be discussed, and then resolved.

If parents do have a complaint it should therefore be dealt with in accordance with this procedure. All complaints will be handled as quickly as possible and sensitively.

This procedure also extends to handling complaints from the public. Any reference to parents in this procedure includes the public.

What constitutes a complaint?

A complaint is an expression of dissatisfaction with or concern about a real or perceived problem.

If there is any doubt as to whether a complaint is being made, the question may be put 'do you wish me to record this is a concern or a complaint?'

A complaint may be made if a parent thinks that the school has, for example,

- Done something wrong
- Failed to do something it should have done
- Acted unfairly.

A complaint may be made about the school as a whole, about a specific section, about an individual member of staff or about a specific incident.

All complaints will be handled seriously as an unresolved problem may become a festering dispute or a confrontation. Our procedure aims to handle both formal complaints and the informal raising of concerns.

Complaints Log

All complaints will be recorded in the Complaints Log and, where referable to the pupil, also on the pupil's file. The Log shall contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Brief statement of issue
- Location of detailed file(s)
- Staff member handling the issue
- Brief statement of outcome

The Log is kept in the HM's Office. The Complaints Log is entirely distinct from other files dealing with the complaint which may contain confidential information. It provides for a written record of all complaints whether the complaint is resolved or not. It also records actions taken regardless of whether the complaint was upheld or not.

The record of complaints must be made available to ISI and in the case of EYFS the record must be available to Ofsted, upon request.

Stage 1 - Informal Concerns Procedure

Unless the matter is especially pressed or of significant concern to the parent, the pupil and / or the school, parents are requested to initially adopt the informal concerns procedure which is designed to bring about a swift resolution.

- (a) Parents should approach their class teacher with their concerns either verbally or in writing followed by a meeting.
- (b) If this does not provide satisfaction or if the concern is about the class teacher parents should approach the Headteacher. Such concerns will be immediately referred to the class teacher unless the Headteacher decides to deal with it.
- (c) If the concern is about treatment to a pupil the Head of Pastoral Care and / or the Child Protection Officer shall be informed.
- (d) The class teacher or Headteacher will record the nature and date of the concern in the Complaints Log and, where referable to the pupil, on the pupil's file.
- (e) If the concern can be dealt with immediately to the parent's satisfaction the Complaint Log and pupil's file will simply be noted with the outcome.
- (f) If the concern cannot be immediately resolved or requires investigation the class teacher or Headteacher will send a letter to the parent acknowledging receipt, giving particulars of it and providing a timeframe within which it is hoped the matter can be resolved.
- (g) It is hoped that each concern can be dealt with within 15 working days.
- (h) In most cases the person dealing with the concern will discuss it with the parent in an attempt to resolve this issue reasonably.
- (i) Once the concern has been dealt with the person dealing with the complaint shall record the outcome of the concern in the Complaints Log and the pupil's file.

Stage 2 - Formal Procedure

If the informal procedure fails to produce an outcome that satisfies the parents and / or the parents wish to disregard the informal procedure the parents can proceed to the formal complaints procedure.

- (a) The parents must put their complaint in writing and send it addressed to the Headteacher who will enter the date and nature of the complaint in the Complaints Log and, where referable to the pupil, on the pupil's file. The Headteacher shall also send a letter to the parent acknowledging receipt of the complaint, giving particulars of it and providing a timeframe within which it is hoped the complaint can be resolved.
- (b) If necessary the Headteacher shall inform the Head of Pastoral Care, the Child Protection Officer and / or the Chairman of Governors.
- (c) It is hoped that the Headteacher will discuss the complaint with the parent within 15 working days to see if an immediate resolution can be found. Formal notes will be kept of any discussions.
- (d) If necessary the Headteacher will then commence investigations into the complaint which will be concluded within 15 working days.
- (e) If the complaint is about the Headteacher the parent should complain immediately to the Chair of Governors who will adopt the procedure noted above.
- (f) Once investigations have been completed the Headteacher or Chairman of Governors will inform the parents of his decision together with his reasons and record his decision in the Complaints Log and pupil's file. He will also inform the parents of their right to appeal to the Complaints Panel.
- (g) If the parents are still not satisfied they can proceed to Stage 3 of the procedure.

Stage 3 - Panel Hearing

This stage can only be invoked by the parents if they have exhausted the formal procedure stage and wish to appeal. If the appeal is lodged in term time it will be heard within 28 days.

The Governing Body shall establish a Complaints Panel which shall be chaired by a Governor (the 'Chair') who is not the Chairman of Governors. If the Chair is not satisfied that the formal procedure stage has been undertaken he can decide in his discretion to refuse to accept the complaint and refer it back to the Headteacher unless the complaint is about the Headteacher.

If the Chair agrees to deal with the complaint the following procedure shall apply:

- (a) The Complaint Panel will consist of not less than 3 people, none of whom are directly involved in the matters detailed in the complaint and at least one of whom is totally independent of the management and running of the School.
- (b) The Panel will acknowledge receipt of the complaint and ask if the parent wishes to provide any further information or documents about the complaint. Alternatively the Panel may ask for further information or documents. The Panel will also ask the parent if there are any dates when the parent will be unable to attend a Panel Hearing to present the complaint.
- (c) On receiving the parent's response the Panel shall set a hearing date which shall take place within 15 working days or as soon as possible thereafter. The parent shall receive at least 3 working day's notice of the hearing.
- (d) Copies of all documents shall be provided by the Panel to the parent not less than 3

working days before the Hearing.

- (e) The parent is entitled to attend the Hearing and be accompanied although not by legal representation.
- (f) After hearing the complaint and asking any questions it deems necessary the Panel shall retire to consider its decision. Where possible it is hoped that an immediate decision can be reached although it is possible the Panel may need to undertake further investigations before a decision can be reached. A decision will be reached within 10 working days at the most.
- (g) Any decision reached by the Panel shall be confirmed in writing to the parent, the Chair of Governors and the Headteacher and, if appropriate, the person complained about. Reasons for the decision together with any recommendations shall also be provided.
- (h) The Panel shall ensure that the Complaints Log and, where referable to the pupil, the pupil's file is noted.
- (i) The Panel's decision shall be final.

Contact

Details on how to contact Ofsted and ISI are also available on the school website.

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
Tel 0300 123 1231

ISI
CAP House
9 – 12 Long Lane
London
EC1A 9HA
Tel 020 76 000 100

EYFS Complaints

Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigations within 28 days. The record of EYFS complaints will be made available to Ofsted and ISI upon request.

Confidentiality

The school shall ensure that all complaints whether informal or formal are treated sensitively and confidentially save where information must be provided to an Inspector or by virtue of any legal obligation.

In keeping with the School's aim of openness and fairness it is the school's policy that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by pupils should not rebound adversely on them or on other pupils.

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the School to provide you on conclusion of the final stage of the School's complaints procedure with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards

Institute as competent to resolve consumer disputes. These details are set out below. However, please note that the school is not obliged to enter into alternative dispute resolution.

Anonymous Complaints

Anonymous complaints may be where there is not indication of either name of address, or where the complainants say that they do not wish to be identified. They may come from members of the public or parents.

Complaints from the public about the behaviour of a group of pupils may be dealt with on a general basis, with reminders about the school's expectations.

Parents and members of the public should be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Headteacher's discretion as to what action if any should be taken, depending on the nature of the complaint. Anonymous complaints will be recorded onto the Complaints Log.

Anonymous complaints about child abuse will be dealt with under the school's Child Protection Policy.

Evaluation of the Complaints Procedure

It is important the School learns from any complaints whether justified or not to try to prevent any repetition. The Governors shall monitor the complaints procedure in order to ensure that all complaints are handled properly.

The Headteacher shall be responsible for ensuring the smooth running of this procedure including adherence with the various timeframes and whether parents are content with this procedure.

There may be occasions where, despite all stages of this procedure being followed, the complainant remains dissatisfied with the outcome. If the complainant tries to reopen the same issue, the Chair of the Governing Body is able under this policy to inform him/her in writing that the procedure has been exhausted and the matter is now closed.

Inspection

A copy of this procedure is available on request at any time to parents of pupils at the school, prospective pupils and members of the public.

Retention

The complaints log and any supportive documentation will be kept at the school indefinitely.

Definition

'Working Days' – A working day is defined as a week day during term time when the school is in session.