

PARENTAL COMPLAINTS PROCEDURE

Legal Status:

- This policy incorporates the manner in which complaints are to be handled according to the Regulatory Requirements, Part 7, paragraph 33 (a) to (k) inclusive, The Education (Independent School Standards) (England) (Amendment) Regulations and the National Minimum Standards (NMS) DfE: March 2015

Applies to:

- the whole school and all other activities provided by the school, inclusive of those outside of the normal school hours;
- all staff (teaching and support staff), the proprietor and volunteers working in the school.

The record of complaints is kept for a minimum of three years.

Timescale:

- The process of dealing with a complaint in writing from the moment that it is received by the school to resolution will take no more than twenty two (22) working days, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors.

Availability:

- The Complaints Procedure is provided in the information for prospective pupils, parents and guardians, and is available on the school's website
- This policy is made available to parents, staff and pupils in the following ways: via the School website www.bruernabbey.org, and on request, a copy may be obtained from the Office.

Monitoring and Review:

- The Headmaster logs all complaints received by the school and records at which stage and how they were resolved. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint.
- The Proprietor monitors the complaints procedure, to ensure that all complaints are handled properly, taking into account any local or national decisions that affect the complaints process, and making any modifications necessary to this policy. They also retain details of the number of complaints, registered under the formal procedure during the preceding school year.
- The Proprietor will undertake a formal annual review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed: John Floyd and Sterling Stover

Last reviewed: May 2017

Date for Review: September 2017

Introduction

The purpose of this complaints procedure is to deal with complaints from the parents of pupils. This complaints procedure does not apply to parents of prospective pupils and it does not cover exclusions. This complaints procedure does apply to past pupils but only if the complaint was initially raised when the pupil was still a registered child at Bruern Abbey School.

Any matter about which a parent is unhappy and seeks action by Bruern Abbey School is a complaint and is in the scope of this procedure. This procedure is made available to parents, staff and pupils on request to the school office, during the school day, or by e-mail. The existence of this procedure is clearly identified in the information provided for prospective pupils and parents. Parents who have complaints should feel these can be voiced and that they will be taken seriously.

If parents of pupils at the school do have a complaint, they can expect it to be treated by the school in accordance with this procedure. We use the term "complainant" to refer to the individual or individuals making the complaint. These may be one or a combination of any of the following: a parent or guardian of a pupil at the school, parents or guardians of a pupil at the school or several parents or guardians of pupils at the school. Complaints will be resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils. Parents have a right to make a complaint to the Office for Standards in Education (Ofsted). Details of how this may be done are given at the end this procedure. The School also has a 'Whistle Blowing Policy'.

Where the person being complained about is named as the person who would be handling the complaint in these procedures, their role will be passed upwards to their Line Manager. For example, teacher to deputy or deputy to Headmaster. The timescales indicated in the procedures below should allow for swift resolution of complaint. There will be exceptional circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors. It is intended that all issues will be resolved within twenty-eight (28) working days of the first complaint being made.

This procedure provides for a written record to be kept of all complaints that are and whether they are resolved following an informal or formal procedure, or proceed to a panel hearing and action taken by the school as a result of these complaints regardless of whether they are upheld and provides that 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 108 or 109 of the 2008 Act requests them.

Principles

- This procedure sets out how parents may communicate their complaints effectively to the school and seek appropriate action.
- This procedure provides informal and formal mechanisms for parents to ask for clarification and explanation of an event, incident or other occurrence at school directly affecting their child as a pupil at the school in the context of the school's policies, curriculum, customs and practices.

The Complaints Process

Stage 1 – Informal Resolution

Parents should bring their complaint first to the attention of the class teacher or to the school secretary if it is an administrative or procedural matter. The school will aim to address the issue directly and orally by clarifying the school's policy and/or advising what appropriate action the school may take to correct any error that may have occurred. This will be done either by the class teacher or school secretary or the deputy Headmaster or by the Headmaster if required.

When a complaint is received the person receiving it will reply to acknowledge the complaint, and give a timescale for response. 'I am writing to confirm receipt of your complaint. The school will respond to you and give a resolution to your complaint within five (5) working days.' The person receiving the complaint must ensure that the Headmaster is immediately aware of the complaint.

(References to number of working days refer to term-time only)

- It is hoped that most complaints will be resolved quickly and informally. Obviously, the more information the school gives to parents the less scope there is for misunderstanding. Parents will be encouraged to give feedback, preferably to the person concerned. In most cases, discussion, explanation, further information or an apology, if appropriate, will resolve any issues. Every effort will be made to allay concerns at this stage and with the least possible formality. The parents will be informed in writing of the date a resolution was reached and the agreed nature of this.
- Where the parent is not satisfied with the response to the complaint made then the parent (or parents) will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

Stage 2 – Formal Procedure

If Stage 1 did not resolve the parent (parents) complaint they should formally write to the Headmaster. The Headmaster will reply to acknowledge the complaint, and give a timescale for response. 'I am writing to confirm receipt of your complaint. I will respond to you with resolution within six (6) working days.'*(References to number of working days refer to term-time only)* The headmaster will aim to provide a resolution to the complaint within the 6 working days.

- In most cases, the Headmaster will meet or speak to the parents concerned to discuss the complaint. If possible, a resolution will be reached at this stage. It may be necessary for the Headmaster to carry out further investigations. The Headmaster will establish what has happened so far, who has been involved, clarify the nature of the complaint and what remains unresolved. The

Headmaster will meet with the complainant or contact them and clarify what the complainant feels would resolve the issue.

- Within six (6) school days of receiving the complaint, the Headmaster will do the following: complete the investigation and contact the complainant to arrange a meeting. If the complaint is valid in whole or in part, The Headmaster is to acknowledge this and write an explanation along with a clarification of any misunderstanding. The Headmaster should also make an admission if the situation could have been handled better or differently and make an assurance that the event complained of will not recur. Lastly, the Headmaster should write an explanation of the steps that have been taken to ensure it will not be repeated and review school's procedure in light of the complaint. The parents will always be kept informed in writing
- Where a parent is not satisfied with the response made to the complaint made then the parent (or parents) will be advised to proceed with their complaint in accordance with Stage 3 of this Procedure.

Stage 3 – Complaints Panel Hearing

(References to number of working days refer to term-time only)

If the parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), or due to the nature of the complaint, that they do not wish to follow Stages 1 and 2 of this procedure, they will be referred to the Convenor, who will be appointed by the Proprietor to call hearings of the Complaints Panel. The matter will then be referred to the Complaints Panel for consideration.

- The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The Panel Convenor, on behalf of the Panel, will then acknowledge the complaint within three (3) working days and schedule a hearing to take place within ten (10) school days of the schools receipt of the referral (n.b. within 7 days of the Panel Convenor acknowledging the complaint). If the complainant or Headmaster wishes to submit information in writing to the Panel this should be sent to the Panel Convenor at least five (5) working days before the date of the hearing.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five (5) working days prior to the hearing.
- The complainant may be accompanied to the panel hearing if they wish. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within one (1) working day of the Hearing.
- A copy of the Panel's findings, and/or any recommendation and the reasons for them-will be:
- sent by electronic mail or otherwise given to the complainant, the Headmaster/ Proprietor and the company secretary, and where relevant, the person complained about;
- available for inspection on the school premises by the Proprietor/Headmaster.
- The complainants will have the right of appeal to Ofsted or the Independent Schools Inspectorate (ISI), whose contact details are given at the end of this policy.

As far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the complainant will already have been engaged over a longer period in attempts to put things right.

Role of the Panel Convenor is:

- to confirm to all parties in writing the date, time and venue of the hearing and to receive and distribute any documentation to be read before the hearing;
 - to meet and welcome all parties as they arrive at the hearing as well as record the proceedings and notify all parties of the Panel's decision.
- The wording of any letters will be agreed with the Chair of the Panel.

The role of the Chair of the Panel is to ensure that:

- the procedure is properly followed; the hearing of the complaint is explained to all parties and that they have the opportunity to put their case without undue interruption;
- the issues are addressed and all parties are put at ease, especially those who are unfamiliar with such a hearing. Proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy;
- the Panel operates in an open-minded and independent way and time is given for all parties to consider 'new' evidence.

The order of the Proceedings for hearing of the complaint:

- Welcome, introductions and explanation of the proceedings by the Chair. The complainant is invited to explain the complaint and the Headmaster may question the complainant.
- The Panel may question the complainant. If there are any witnesses for the complainant, each one is invited to the hearing in turn and in each case the witness is invited to speak. The Headmaster may then question them, followed by the Panel. In each case the witness may leave after their evidence has been given.
- The Headmaster is invited to explain the school's actions. If there are any witnesses for the school, they are treated in exactly the same way as the witnesses for the complainant.
- When the Chair is sure that all parties have asked all they need to, the complainant is invited to sum up their complaint. The Headmaster is then invited to sum up the school's actions and response to the complaint.
- The Chair explains that both parties will hear from the Panel within 1 school day following the day of the hearing. Both parties leave together whilst the panel decides on the issues.

Options open to the Panel:

The Panel may:

- dismiss the complaint in whole or in part or uphold the complaint in whole, or in part;
- decide on an appropriate action to be taken to resolve the complaint or recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not re-occur.

After the Hearing:

The Chair of the Panel agrees with the Convenor the wording of the letter to be sent to both parties. The Convenor will: ensure that the letter is sent out in accordance with the agreed time scales and procedure as stated in Stage 3 of this policy and write up the notes of the meeting and gives a copy to the Chair of the Panel;

- ensure that any recommendation to change school policies or procedures are placed before the Proprietor.

The number of formal complaints, received in an academic year, is made available to parents including being published on the school website.

Child Protection

For any complaint that involves a potential child protection issue, this must be reported immediately to the Headmaster (See our Child Protection Policy for details of the procedure) or Designated Senior Person.

Record Keeping and Confidentiality for the Whole School

Parents and Guardians can be assured that all concerns and complaints will be treated seriously and confidentially. This procedure provides for a written record to be kept of all complaints whether they are resolved following a formal procedure, or proceed to a panel hearing for a minimum of three years. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint. A written record will also be kept of when a final outcome was reached. The Proprietor examines this written record on an annual basis. This procedure also provides that 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 108 or 109 of the 2008 Act requests them. The school will provide, on request to Ofsted, a written record of all complaints made during a specified period and the action which was taken as a result of each complaint. Parents may contact the Headmaster to ask for the number of formal complaints made during the previous academic year.

- **Ofsted**, Piccadilly Gate, Store Street, Manchester M1 2WD.
Telephone: 03001231231 Web: www.ofsted.gov.uk Email: enquiries@ofsted.gov.uk
- **Independent Schools Inspectorate**, CAP House, 9-12 Long Lane, London EC1A 9HA
Telephone: 02076000100 Web: www.isi.net Email: info@isi.net

As of September 2016 - Number of Formal complaints in the past 3 years: 0