Complaints Policy

St. Helen's School

September 2020

1 Introduction

1.1 St Helen's School (**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.

1.2 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 her opportunities at the school. This policy distinguishes between a complaint or difficulty which can be resolved informally and a formal complaint which will require investigation and a written decision.

1.3 **"Parent(s)" / "You"** includes a current parent or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the School.

1.4 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.

1.5 This Policy is applicable across the whole School and makes specific provision for those in the Early Years Foundation Stage (EYFS).

2. Management of complaints

2.1 Complaints Co-ordinator

2.1.1 The Complaints Co-ordinator is responsible for the co-ordination and administration of the complaints procedure.

2.1.2 The main responsibilities of the Complaints Co-ordinator are to:

(a) co-ordinate the complaints procedures in School and be the first point of contact where matters remain unresolved

(b) arrange assistance during any aspect of the complaints procedure for parents who require this, for example, because of a disability

(c) monitor the keeping, confidentiality and storage of records in relation to complaints

2.2 The School's complaints procedure has three stages:

2.2.1 **Stage 1:** informal raising of a complaint or difficulty with a member of staff orally or in writing as set out in Appendix 1.

2.2.2 **Stage 2:** a formal complaint in writing to the Headmistress - further details of how to make a formal complaint and the relevant procedures are set out in Appendix 2.

2.2.3 **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.

2.3 A summary of the School's complaints procedure is set out in Appendix 4.

2.4 Separate procedures apply in the event of a child protection issue as set out in the School's Child Protection and Safeguarding Policy available on the School's website.

2.5 If the Headmistress expels or requires the removal of a pupil from the School (or suspends a pupil for more than 10 days) and the parents seek a Governors' Review of that decision, they should follow the procedures in the School's Expulsion, Removal and Review Policy which is also available on the School's website.

3. Confidentiality

3.1 A written record will be kept of all complaints, including details of the complaint, whether the complaint was resolved at Stage 1, Stage 2 or proceeded to a panel hearing and any action taken by the School following the complaint.

3.2 The number of formal complaints registered during the preceding school year will be supplied to parents on request to the Business Director.

3.3 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 under section 108 or 109 of the Education Act 2008 or under other legal authority.

3.4 Details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

4. Complaints to Independent Schools Inspectorate and/or Ofsted (EYFS)

4.1 The School is inspected by ISI, an independent organisation, which reports to the Government on schools. Parents may contact ISI if they have a complaint. Complaints relating to EYFS may be reported to Ofsted.

4.2 ISI and Ofsted will usually expect parents to have followed the School's formal complaints procedure before contacting them. However, you can contact the ISI on 020 7600 0100 and Ofsted on 0300 123 1231.

Authorised by	Executive Committee
Date	July 2020
Effective date of the policy	1st September 2020
Date of Next Review	July 2021

Appendix 1 Stage 1 - dealing with complaints 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. Complaints of discrimination, harassment or victimisation may need to be dealt with at **Stage 2** without action at **Stage 1**.

1.2 Every complaint notified to a member of staff will be noted, together with the action taken, on a standard complaints form.

2. Who to contact

Where appropriate, complaints should initially be raised as follows:

2.1 **Educational issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to Deputy Head (Academic).

2.2 **Music issues:** a problem about music matters should be raised with Deputy Head (Academic).

2.3 **Pastoral care:** for complaints relating to matters outside the classroom, please speak or write to Deputy Head (Pastoral).

2.4 **Disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the Head of the relevant section of the School.

2.5 **Financial matters:** a query relating to fees or extras should be stated in writing to the Business Director.

3. A complaint provided in writing will be acknowledged by telephone, fax, e-mail 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.

4. A complaint which has not been resolved by informal means within 15 working days[1] should be notified in writing as a formal Stage 2 complaint using the procedure set out in Appendix 2.

[1] When we refer to working days, we mean Monday to Friday, when School is open during term time.

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 Headmistress.

1.3 The complaint will be acknowledged by telephone, e-mail or letter within two working days during term time, indicating the action that is being taken and the likely time scale.

2 Investigation

2.1 The Headmistress will ask a senior member of staff to act as Investigator and / or 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 Headmistress.

3 Decision

3.1 The Headmistress will then notify the complainant by telephone, fax, e-mail or letter of her Stage 2 decision and the reasons for it within 10 working days[2] 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 Where a complaint is made by a parent in the EYFS setting, the complaint will be investigated in accordance with this procedure and the complainant notified of the outcome within 28 days of the complaint being received.

3.3 If a parent is dissatisfied with the Headmistress'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.

[2] When we refer to working days, we mean Monday to Friday, when School is open during term time.

Appendix 3 Stage 3 - Complaints Panel

1 What is a Complaints Panel hearing?

1.1 A Complaints Panel (Complaints Panel) hearing is a review of the decisions taken at Stage 2 by the Headmistress (or in circumstances where the formal complaint concerns the Headmistress, a Governor appointed to act in 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 Panel is to establish the facts surrounding the complaints that have been made by considering:

1.2.1 the documents provided by both parties and

1.2.2 any representations made by the Parents and the Headmistress

and to 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 Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Panel may make recommendations on these matters or any other issues to the Headmistress and / or to the Council of Governors, as appropriate.

2 How to request a Complaints Panel hearing

2.1 A request for a hearing before the Complaints Panel must be put in writing to the Clerk to the Governors 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.

2.2 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 Panel to see and

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 and s/he 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.

2.5 Every effort will be made to enable the hearing to take place within 15 working days[3] of receipt of the request.

3 Planning the hearing

3.1 As soon as reasonably practicable, and in any event at least five 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 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, 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 the Clerk to the Governors 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 Clerk to the Governors of this at least three 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.

3.4 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least 48 hours prior to the hearing.

4 Composition of the Panel

4.1 The Panel will consist of at least three individuals who were not directly involved in the matters detailed in the complaint, including members of the Council of Governors and at least one independent member who has no connection with the governance, management and running of the School.

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

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

5 The Panel hearing

5.1 The hearing will be conducted in an informal manner.

5.2 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.

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 Panel will take a handwritten minute of the proceedings.

[3] When we refer to working days, we mean Monday to Friday, when School is open during term time.

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. 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.

5.5 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.

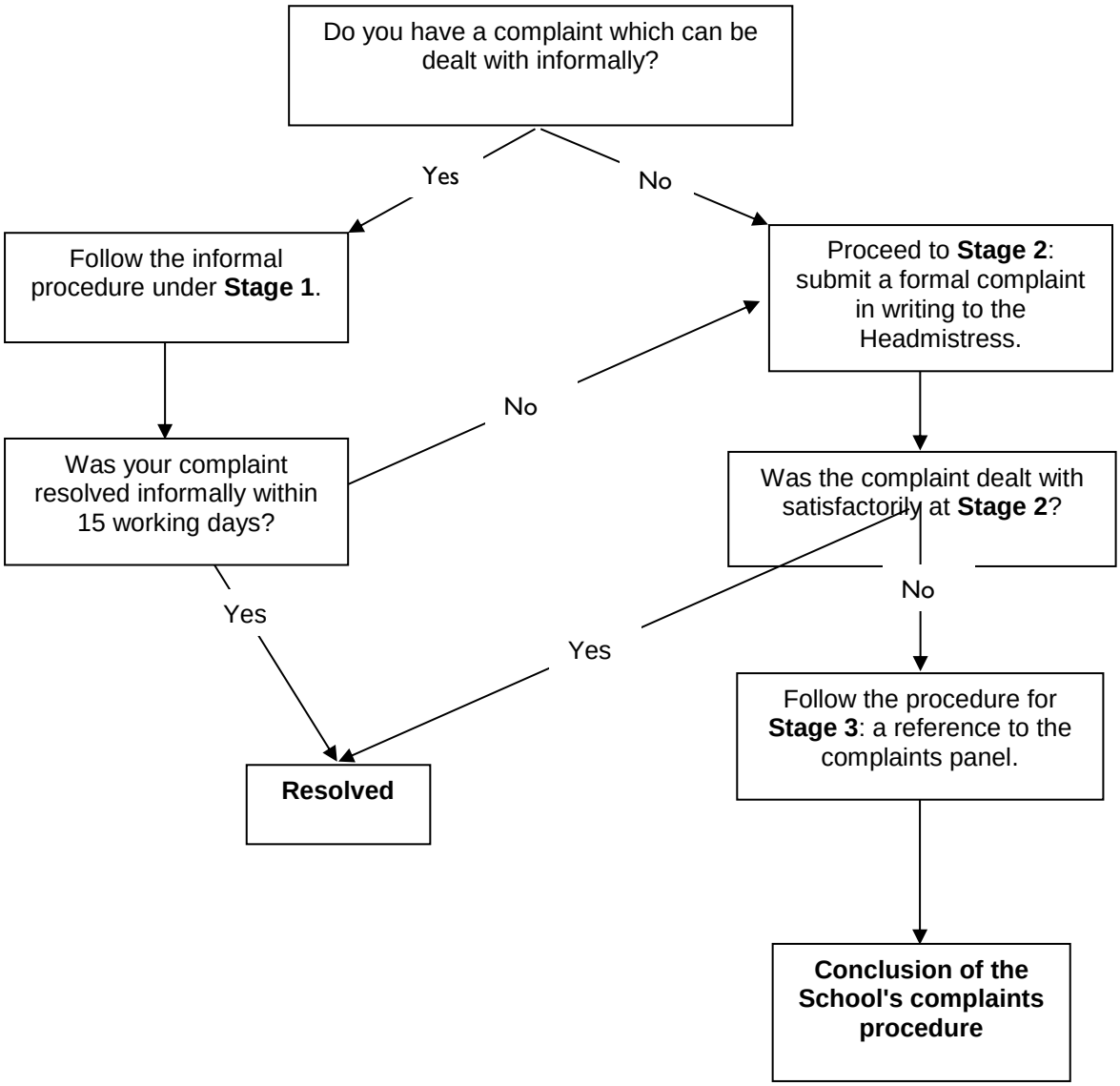
6 The decision

6.1 The Panel will reach a decision on a 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, by electronic mail within five working days[4] of the hearing. If the parents do not wish to receive the decision by electronic mail, they should inform the Clerk to the Governors of this so that a copy may be given or posted to them.

6.3 The decisions, findings and any recommendations will also be available for inspection on the School premises by the Council of Governors and the Headmistress.

6.4 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

[4] When we refer to working days, we mean Monday to Friday, when School is open during term time.

Appendix 4 Procedural flowchart