

<b>POLICY DOCUMENT</b>	<b>Complaints Policy &amp; Procedure</b>
<b>STATUTORY</b>	<b>Statutory</b>
<b>Legislation: Education/Other</b>	See policy
<b>Lead Member of Staff</b>	Semira Asfaw
<b>Lead Board Member</b>	Jacqueline Logue
<b>Publication /Revision Date</b>	03/11/21
<b>Approved by</b>	Weekly Management Meeting
<b>Approval Date</b>	03/11/21
<b>Review Frequency</b>	5 year
<b>Date of next review</b>	November 2026
<b>Publication date: School Website Staff Information folder</b>	03/11/2021
<b>Chair of Board signature</b>	Nick Smedley
<b>Purpose</b>	To ensure that the Headteacher and The Board of Directors, and all staff handle complaints in accordance with government requirements.

## **Rosemary Works School Complaints Policy & Procedure**

### **1 Introduction**

- 1.1 We believe that our school provides a good education for all our children, and that the Head and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.
- 1.2 If any parent is unhappy with the education or care that their child is receiving, or has any concern relating to our service, we encourage that person to talk to their child's class teacher, or the school administrator, immediately.
- 1.3 We deal with complaints in accordance with procedures set out by the DFE.
- 1.4 This policy applies to the EYFS: if parents are concerned that the school is not meeting its EYFS requirements they may contact the ISI or OFSTED to report their concerns, at the address below.
- 1.5 This policy and procedure is applicable to all parents of pupils currently registered at the school.
- 1.6 For the purposes of this procedure, 'working days' shall refer to working days during school term time. If a complaint is submitted during the school holiday, all attempts will be made to adhere to the stated timescale. However, due to staff unavailability, it might be necessary to go beyond the timescale in order to gather any necessary information, in which case parents will be informed in writing of the need for additional time.

### **2 Aims and objectives**

- 2.1 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 other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

### **Procedure**

#### **3 Stage 1 – Informal Resolution**

- 3.1 Most complaints can be resolved quickly and informally
- 3.2 If a parent has a concern or complaint, we encourage that person to talk to the child's class teacher in the first instance. In most cases the matter can be resolved promptly via this route.

- 3.3 The teacher may seek the support and guidance of a member of the Senior Leadership Team, to advise on how to manage the complaint.
- 3.4 In the event that a complaint is made directly to the Headteacher at the first instance, it will usually be referred to the appropriate member of staff for informal resolution.
- 3.5 In some rare cases, the Headteacher may decide to resolve the complaint informally himself.
- 3.6 Complaints at this stage will be responded to within 7 working days from the point at which they are received. If there is a legitimate reason preventing response within 7 days, the staff member will write to inform the parents, and provide an alternative time frame.

If parents are not satisfied with the response to an informal complaint, they may proceed to Stage 2 of this procedure within 10 working days of the conclusion of Stage 1.

#### **4 Stage 2 – Formal Resolution**

- 4.1 If the parents is not satisfied with the outcome of the Stage 1 procedure, then the parents should put their complaint in writing to the Headteacher. The Headteacher will decide who will take responsibility for leading the investigation into the complaint, based on staff seniority and the subject of the complaint.
- 4.2 Within 5 working days the Headteachers will advise the parents how he intends to proceed with the matter.
- 4.3 Once all possible efforts have been made to address the substance of the complaint, the Headteacher will take a decision, and inform the parents in writing of the decision and the rationale behind it. This will be done within 10 working days of the complaint being received.
- 4.4 If there is a legitimate reason preventing response within 10 days, the Headteacher will write to inform the parents, and provide an alternative time frame.
- 4.5 It is anticipated that a Stage 2 complaint response will provide reassurance that the complaint has been considered fully and fairly. However, in extreme circumstances, parents may opt to progress to Stage 3 of the Complaints procedure.
- 4.6 Parents should be aware that if they wish to raise a complaint about the Headteacher, they should contact the managing Director, Jacqueline Logue, by telephone or in writing. The matter will be dealt with by Jacqueline or an alternative appropriate investigator, within 15 working days of receiving the complaint.

#### **5 Stage 3 – Complaints Panel Hearing**

- 5.1 If parents are not satisfied with the response to a written complaint, there is the possibility of a hearing before a panel, appointed by the proprietor of at least

three people. This hearing will take place as soon as practicable, and no later than 20 working days of receiving the complaint.

- 5.2 The request for referral to the Complaints Panel Hearing must be delivered by post or email to the school, not more than 5 days after receipt of the decision from the Stage 2 procedure.
- 5.3 The panel will be made up of 3 people who have not been directly involved in the matters detailed in the complaint, one member of which is independent of the management and running of the school.
- 5.4 If it is regarded as necessary, the Chair of the Complaints panel may require that further details of the complaint, and any relevant documents or records, are supplied in advance of the hearing.
- 5.5 Parents may attend the panel hearing and be accompanied by one person, such as a relative, friend or teacher. Legal representation is not allowed. Recordings of proceedings are not permitted.
- 5.6 The complaints panel procedure allows for the panel to make findings and recommendations. If possible, the panel will resolve the matter immediately, without the need for further investigation.
- 5.7 The complaints panel will consider all relevant facts and come to a decision, which may include recommendations within 10 working days of the hearing. The complainant, proprietors and Directors and, where relevant, the person complained about will be given a copy, in writing, of any findings and recommendations.
- 5.8 The decision of the Complaints Panel is final, and this exhausts the procedure available to parents.

## **6 Record Keeping**

- 6.1 Written records are kept of all Stage 2 and 3 complaints, indicating whether they were resolved at the Stage 2, or whether they proceeded to a panel hearing. Written Complaints and their associated correspondence, statements, records, and resulting actions are stored securely in the Management Folder on the school premises, and is available for inspection by the proprietor and Headteacher.
- 6.2 Complaints are treated as confidential as are records and correspondence relating to the complaints, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests Access to them.
- 6.3 Records are retained for a minimum of 7 years. Complaints relating to allegations of child abuse or serious injury will be retained for longer, in keeping with our data retention procedures.

## **7 Vexatious Complaints**

- 7.1 On rare occasions the parents may remain dissatisfied after following all stages of the complaints procedure. In the event that the complainant continues to raise the same matter, the school will write to inform them in writing that the matter

has been concluded. Subsequent complaints from the complainant relating to different concerns, will be dealt with as new informal complaints.

## **8 Monitoring and review**

- 8.1 The directors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The directors logs all complaints received by the school and records how they were resolved. The director examines this log on an annual basis to determine if the log of complaints indicates a systemic problem that needs to be resolved. The Board of Directors is responsible for this policy, and it is reviewed and agreed at Board Meeting.
  
- 8.2 The school takes into account any local or national decisions that affect the complaints process, and makes any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

The School has received no formal complaints in the past twelve months.

02/11/2021

## COMPLAINTS PANEL PROCEDURE

1. If the complainant is still not satisfied, a panel of three people will be convened to hear the complaint and make a final decision about it on behalf of the school. The panel will consist of at least 3 people who were not directly involved in previous consideration of the complaint. One member of the panel is independent of the management and running of the school. The remaining members of the panel will be the owners of the school who will be responsible for the appointment of the panel.
2. The primary function of the complaints panel is to decide on the merits or otherwise of the complaint. However, the panel will also play an important role in attempting to resolve the complaint. The panel will reach a decision on whether the complaint is upheld or rejected and may call for certain action to be taken by the school or the parents.
3. The panel should invite written evidence from the complainant and the Headteacher on the complaint and the action taken to resolve it. Any written evidence will be circulated to all parties before the hearing.
4. The hearing will proceed as follows:
  - Introduction by the chair of the panel
  - Complainant makes statement of complaint and outcome sought
  - Questions to complainant by panel and Director/s
  - All parties hear and question any witnesses called by complainant
  - Director/s make statement
  - Questions to Director/s by panel and complainant
  - All parties hear and question any witnesses called by Director/s
  - Complainant makes final statement
  - Director's makes final statement
  - Panel withdraws and reaches decision
5. The meetings will be minuted and recorded by a secretary. Care should be taken in identifying a clerk. A member of staff such as the school secretary will act as secretary, although consideration will be given to the sensitivity of the particular complaint. Both the complainant and the Headteacher will be entitled to be accompanied if they wish.
6. The decision reached by the panel will be notified to the complainant. Only a brief summary will be provided with no detailed or named information; this will ensure that any further actions will not be jeopardised.

Stage 1 – Informal

First level complaint – parents should try to resolve the problem directly with staff if appropriate, or via the office.

They should receive a response within 7 working days.\*

Resolved?



Yes. No further action

No

Parent advised to raise matter with the school Head.

Stage 2

Complaint to the Headteacher.

Headteacher to investigate and respond within 10 working days.\*

Resolved?



Yes. No further action

No

Parent request Complaints Panel Hearing within 5 days of receiving the decision of the Stage 2 complaint.

Stage 3 – Formal

A complaints panel will meet to consider the complaint within 20\* days. A decision will be provided by the panel within 10 working days of the hearing.

\*SCHOOL HOLIDAY PERIOD: during the school holidays every effort is made to deal with complaints in a timely manner, however it may be impossible to fully investigate concerns if staff are out of contact with the school, therefore we will deal with complaints as soon as is practicable.

If parents believe we are not meeting our EYFS requirements, they may contact the ISI or OFSTED at the following addresses:

Independent Schools Inspectorate  
CAP House  
9 - 12 Long Lane  
London  
EC1A 9HA  
020 7710 9900  
[concerns@isi.net](mailto:concerns@isi.net)

Independent and Boarding Team  
Department for Education  
Mowden Hall  
Staindrop Road  
Darlington  
DL3 9BG

