



## Complaints Policy and Procedure

Issued by:	Bursar (DStJP)
Last review:	November 2024
Next review due:	November 2025
Governor Review date:	November 2024
Location:	Website Staff Portal



## COMPLAINTS POLICY AND PROCEDURE

1. This policy provides information for parents of pupils currently enrolled at the school (either St Mary's or St Margaret's, as appropriate) on how to make a complaint.
2. Pupils with a complaint or grievance should refer to 'What to do if I have a problem' (prominently displayed on notice boards around the schools and on the Student Information Channel for pupils at St Mary's).
3. Members of staff with a complaint or grievance should refer to their Employment Contract (Grievance Procedure) and information on the Staff Room Channel.

### Overarching Principles

4. We believe that concerns, complaints and grievances should be treated as constructive suggestions. They can be used to improve standards and may prevent cause for further concern, complaint or grievance. It is our aim to deal with complaints in a positive, timely and sensitive manner.
5. This Complaints Policy and Procedure is made available to all parents of pupils on the school's website and on request from the school office during normal working hours. Parents are made aware of this document and its availability to them where appropriate.
6. The school keeps a written record of any formal complaints, which includes:
  - i. Whether they are resolved following a formal procedure (Stage 2), or proceed to a panel hearing (Stage 3);
  - ii. Whether they relate to boarding provision;
  - iii. Any actions taken as a result, regardless of whether the complaint was upheld;

Written records will be kept for a minimum of seven years. Where, however, there are safeguarding implications the records will be preserved at least until the accused has reached normal pension age or for 10 years from the date of the allegation if longer.

7. All correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

### What constitutes a Complaint?

8. A complaint is an issue raised as a source of dissatisfaction, whether in conversation, on the telephone, by email or by letter to any member of school staff. Complaints should not be made to Governors before school staff have had the opportunity to resolve matters.
9. A Formal Complaint is a complaint made in writing under Stage 2 of this policy if the school has been unable to resolve the matter informally at Stage 1.

10. A complaint is likely to arise if a parent believes that the school has done something wrong, or failed to do something that it should have, or acted unfairly.
11. A complaint may be made about the school as a whole, about a specific department within the school or about an individual member of staff. Complaints against staff need particularly sensitive handling and will generally be dealt with by the Head<sup>1</sup>. Matters relating to the Head will be referred to the Chair of Governors.

### **Dealing with Complaints**

12. The school has a three-stage process, the first of which is to try to resolve matters informally.

#### **STAGE 1 – Informal Resolution**

13. All members of staff are encouraged to deal with parental concerns that lie within their area of responsibility. If parents have a complaint they should therefore contact the member of staff most likely to be able address their concerns. Parents are encouraged not to refer matters immediately to the Head or senior members of staff if the matter can be resolved by, for example, a class or subject teacher, tutor, Head of Department or Housemistress.
14. Staff are nevertheless encouraged to keep their line managers informed of any parental concerns and the Head or member of the Leadership Team may therefore become involved in trying to resolve matters informally.
15. Parents will be told what is happening to resolve their complaint and any actions taken as a result.
16. If the matter is not concluded to the parents' satisfaction within 10 working days<sup>2</sup> it may be appropriate to move to Stage 2 of this Procedure.

#### **STAGE 2 – Formal Resolution**

17. If the complaint cannot be resolved informally as outlined at Stage 1, parents may write<sup>3</sup> to the Head outlining their concerns and, if appropriate, suggesting ways in which the situation might be resolved. It should be noted that this formal stage is not automatically triggered whenever a concern is expressed in writing to the Head. A complaint will only progress to this formal stage after an attempt has been made to resolve it informally and the complainant has indicated that they wish to escalate the matter.
18. A Stage 2 complaint must be made within 3 months of the incident or incidents to which it relates unless there are extenuating circumstances.
19. The Head will acknowledge receipt of a formal complaint within 2 working days<sup>2</sup> and will invite the parents in to discuss their complaint as soon as possible, normally within 3 further working days<sup>2</sup>. If parents cannot attend the school this discussion may be undertaken by telephone or other remote means.

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<sup>1</sup> The Head at St Mary's or Head of Prep at St Margaret's, as appropriate.

<sup>2</sup> A 'working day' for the purposes of this Complaints Procedure is a day during the school term when the school is in session. It does not include normal school holidays or exeat weekends.

<sup>3</sup> For the purposes of this Policy, 'write' includes correspondence by email.

20. The Head will discuss matters with relevant members of staff and will ask to see supporting documents or other evidence as appropriate.
21. If appropriate, the Head may write to parents updating them on the progress of the investigation, asking whether there is anything they would like to add to what they have already said, and letting them know when they can expect a full response.
22. A full response will normally be provided within 5 working days<sup>2</sup> of the Head's meeting with parents (i.e. within 10 working days of the complaint being made) but this may be extended at the Head's discretion in order to complete a thorough investigation, for example if awaiting specialist advice.
23. If a parent wishes to raise a complaint against the Head this should be sent to the Chair of Governors, c/o the Clerk to the Governors, in writing in a sealed envelope marked *Private & Confidential*. This will be passed to the Chair of Governors, who will follow the Stage 2 process and timescale outlined above as closely as is reasonably practicable.

### **STAGE 3 – Panel Hearing**

24. If the processes outlined at Stage 1 and 2 have not satisfactorily resolved the situation parents may move to Stage 3, which is to request a Panel Hearing by writing to the Head (or Chair of Governors if the complaint relates to the Head). Any such request must be made within one month of the Stage 2 response being received unless there are extenuating circumstances. It will be acknowledged within 3 working days<sup>2</sup>.
25. On receipt of such request a Convener will be appointed, who will be a member of the Governing Body who is not the Chair. The Convener will appoint a panel consisting of at least three people (one of whom may be the Convener) who were not directly involved in the matters detailed in the complaint. One panel member will be independent of the management and running of the school.
26. The Convener will arrange for the Panel Hearing to take place as soon as practicable and in any event within 10 working days of the request being received.
27. Parents and the person being complained about may be accompanied by a friend at the panel hearing if they wish. Legal representation is not appropriate at this stage.
28. If parents decide not to attend the hearing the panel will nevertheless consider the complaint in absentia, unless the parents have indicated that they are now satisfied or do not wish to proceed further. The panel will issue its findings on the substance of the complaint, thereby bringing the matter to a conclusion.
29. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. The Convener may find it helpful at some point to ask attendees to withdraw for a time so that the Panel can discuss matters in private.
30. If further evidence or deliberation is needed it may be necessary to convene a further meeting but this will be avoided if possible.

31. After due consideration the Panel will decide its findings and recommendations. These will be:
- a. Provided to the complainant and, where relevant, the person complained about within 3 working days<sup>2</sup>; and
  - b. Available for inspection on the school premises by the Governors and the Head.

## **COMPLAINTS REGARDING EARLY YEARS PROVISION**

32. Parents of EYFS children should follow the three stages of this Complaints procedure. If parents remain dissatisfied and their complaint is about the school's fulfilment of the EYFS requirements, then they may take their complaint to ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.
33. A record of any such complaints will be made available to ISI and Ofsted.
34. Parents and carers may contact Ofsted by writing to them at Piccadilly Gate, Store Street, Manchester, M1 2WD or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). ISI may be contacted at ISI, CAP House, 9-12 Long Lane, London EC1 9HA or by emailing [concerns@isi.net](mailto:concerns@isi.net)

## **UNREASONABLE COMPLAINTS**

35. We are committed to dealing with complaints fairly and impartially and will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate language that is abusive, offensive or threatening and will take action to protect them from any such unacceptable behaviour.
36. If the same, or substantially the same, complaint is raised after it has been considered at all three stages, we may regard it as vexatious and decline to follow this process.
37. A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.

## **NUMBER OF COMPLAINTS**

38. We are required by the Independent School Standards Regulations to provide information about the number of formal complaints received. These were as follows for 2023/24
- a. St Mary's: One
  - b. St Margaret's: None