

## Complaints Policy and Procedures

### 1. The Policy

- 1.1 This policy applies to all of the nurseries and schools of the Stephen Perse Foundation (the **Foundation**). This policy applies to complaints from parents of current students (including parents of children and pupils in the Foundation's Early Years Foundation Stage) and to parents of former students if the complaint was raised when their child was registered as a student at the Foundation.
- 1.2 Separate procedures apply in the event of a child protection issue, or if the Principal excludes or requires the removal of a student from the Foundation and the parent/s seek a review of that decision.
- 1.3 Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the Foundation's complaints procedures.

### 2. Guiding Principles

- 2.1 The Foundation's Complaints Policy and Procedures (this **Policy**) is written with regard to Part 7 of the Education (Independent School Standards) Regulations 2014 and is made available on the Foundation's website and in hard copy on request from the relevant school office.
- 2.2 A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Foundation. The Foundation 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.
- 2.3 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 students should never feel that making a complaint will adversely affect a student or their opportunities at the Foundation.
- 2.4 The Foundation aims to resolve any complaints efficiently and promptly and parents are encouraged to bring any complaints to the Foundation's attention as soon as possible. Timescales for each stage are set out below in the relevant paragraphs. When we refer to **working days**, we mean Monday to Friday, when the Foundation Schools are open during term time. The dates of terms are published on the Foundation's website. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the Foundation will notify the parents and inform them of the new timescales as soon as possible.

- 2.5 All parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, students or parents.

### **3. Management of complaints**

- 3.1 The Foundation's complaints procedure has three stages:

**Stage 1:** informal raising of a complaint with a member of the relevant school staff orally or in writing - further details of this procedure are set out in Appendix 1.

**Stage 2:** a formal complaint in writing to the Principal - further details of this procedure are set out in Appendix 2.

**Stage 3:** reference to the Complaints Panel - further details of this procedure are set out in Appendix 3.

### **4. Record keeping and confidentiality**

- 4.1 All records created in accordance with this policy are managed in accordance with the Foundation's policies that apply to the retention and destruction of records.
- 4.2 A written record will be kept of all complaints, including
- 4.2.1 whether they relate to boarding provision;
  - 4.2.2 whether they were resolved at Stage 1, Stage 2 or Stage 3; and
  - 4.2.3 the action taken by the Foundation as a result of the complaint/s (regardless of whether it is /they are upheld).
- 4.3 Information regarding the number of complaints registered under the formal procedure of this Policy during the preceding school year is available to parents of students and parents of prospective students and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate. There were 9 complaints registered under the formal procedure of this Policy during the 2019-20 school year.
- 4.4 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 an inspection or under other legal authority or court order.
- 4.5 A complaint about the fulfilment of the Foundation's EYFS requirements will be made available to Ofsted and the Independent Schools Inspectorate (ISI) on request.
- 4.6 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.
- 4.7 The records created in accordance with this policy may contain personal data. The Foundation has a number of privacy notices which explain how the Foundation uses personal data about students and parents. The privacy notices are published on the Foundation's website. In addition, staff must ensure that they follow the School's Data Protection Policy when handling personal data created in connection with this Complaints Policy.
- ### **5. Complaints to Ofsted and the Independent Schools Inspectorate**
- 5.1 Parents of children in the Foundation's Early Years Foundation Stage have the right to contact Ofsted and / or ISI if they believe the Foundation is not meeting the EYFS requirements.

5.2 Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.

5.3 ISI can be contacted at concerns@isi.net or on 020 7600 0100.

## **6 Training**

6.1 The Foundation ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.

6.2 The level and frequency of training depends on the role of the individual member of staff.

6.3 The Foundation maintains written records of all staff training.

**Reviewed:** February 2021

### **Version Control**

Date of adoption of this policy	31 March 2021
Date of last review of this policy	12 February 2021
Date for next review of this policy	Spring Term 2021
Policy owner	Vice Principal
Authorised by	Governing Body

## **Appendix 1 Stage 1 - Dealing with concerns and difficulties informally**

### **1. Informal resolution of a complaint**

- 1.1 We expect that most complaints can be resolved informally. For example, dissatisfaction about an aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

### **2. Who to contact**

- 2.1 Where appropriate, complaints should initially be raised as follows:

**2.1.1 Educational issues:** if the matter relates to the classroom, the curriculum or special educational needs and disabilities, please speak or write to the student's class/subject teacher in the first instance.

**2.1.2 Pastoral care:** for complaints relating to matters outside the classroom, please speak or write to the student's form or class teacher in the first instance.

**2.1.3 Disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed (save for exclusion/removal) should be raised first of all with the member of staff who imposed the sanction.

**2.1.4 Financial matters:** a query relating to fees or extras should be addressed in writing to the Finance Bursar.

**2.1.5 Boarding issues:** if the matter relates specifically to the Foundation's boarding provision, please speak or write to a member of the House Staff.

**2.1.6 Staff issues:** for complaints relating to members of staff, please speak or write to the Deputy Head of School or the Head of School. Where the complaint is against the Head of School or another member of the Senior Leadership Team, please write to the Principal.

The complaint may be passed to a more senior member of staff if appropriate.

- 2.2 A complaint against the Principal should be put in writing to the Chair of Governors who will follow the procedure set out in Stage 2 (see Appendix 2 below).
- 2.3 An informal complaint provided in writing will be acknowledged by telephone, email or letter within three 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 but a record of the matter will be made.
- 2.4 The member of staff dealing with the complaint will make a written record of all concerns and complaints and the date on which each was received. The member of staff dealing with the complaint will inform the Head of School or member of the Senior Leadership Team and/or the Head of Boarding as appropriate.
- 2.5 The parents will receive a response to the complaint within 15 working days.
- 2.6 If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

## **Appendix 2 Stage 2 - Formal complaint**

### **1. How to make a formal complaint**

- 1.1 Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they wish to escalate a matter to the formal stage.
- 1.2 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 Foundation's policies or management, the complaint should be made under Stage 2.
- 1.3 The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Principal.
- 1.4 If the complaint is about the Principal, full details should be sent to the Chair of Governors.
- 1.5 The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

### **2. Investigation**

- 2.1 The Principal will ask a member of the Senior Leadership Team to act as Investigator.
- 2.2 Where a complaint has been made against the Principal, the Chair of Governors will appoint another governor to be the Investigator.
- 2.3 The Investigator may request additional information from the parents and may wish to speak to the parents personally and to others who have knowledge of the circumstances.
- 2.4 Written records will be kept of all meetings and interviews held in relation to the complaint.
- 2.5 The Investigator will prepare a report on the investigation which will be considered by the Principal (Chair of Governors in the case of the complaint being against the Principal). Personal data may be redacted and names anonymised in line with data protection principles.

### **3. Decision**

- 3.1 The Principal (Chair of Governors in the case of the complaint being against the Principal) will then notify the parent by email or letter of their Stage 2 decision and the reasons for it within 28 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parent/s will be notified of this and informed of the new timescales as soon as possible.
- 3.2 Please note that any complaint received within one month prior to the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.
- 3.3 If a parent is dissatisfied with the response to the Stage 2 complaint, the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

- 3.4 Early Years Foundation Stage (**EYFS**): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 28 calendar days of the complaint being received.

## **Appendix 3 Stage 3 - Complaints Panel**

### **1. What is a Complaints Panel Hearing?**

- 1.1 If a parent is dissatisfied with the Stage 2 response to the formal complaint, the parent can request a Complaints Panel hearing.
- 1.2 A Complaints Panel Hearing (**Hearing**) is a hearing to consider those elements of the Stage 2 response to the parent's formal complaint with which the parent remains dissatisfied. The Panel is not obliged to consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 1.3 The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering:
  - 1.3.1 the documents provided by both parties; and
  - 1.3.2 any representations made by the parents and the Principal (or Chair of Governors),and to reach a decision, on the balance of probabilities, as to whether or not to uphold each complaint.
- 1.4 It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, students or parents. The Complaints Panel may make recommendations to the Foundation on these matters or any other issues as appropriate.

### **2. How to request a Hearing**

- 2.1 A request for a Hearing must be put in writing to the Clerk to the Governors who will pass it to the Convener who has been appointed by the Governors to call hearings of the Complaints Panel (see paragraph 4.1 below). Such a request will usually only be considered if the procedure at Stage 2 has 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 Foundation's possession and wish the Complaints Panel to consider; and
  - 2.2.4 whether parents propose to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.4 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 who will be happy to make appropriate arrangements.
- 2.4 The Clerk to the Governors will acknowledge the request for a Hearing in writing within three working days of receipt during term time and as soon as practicable during the holidays.
- 2.5 Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half terms or Foundation holidays.
- 2.6 Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

### **3. Planning the Hearing**

- 3.1 As soon as reasonably practicable, and in any event at least ten 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 for the Complaints Panel to consider (other than those specified in 2.2.1 and 2.2.3 above) should be sent to the Clerk to the Governors to be received at least seven working days prior to the Hearing.
- 3.3 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.
- 3.4 Parents may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and so legal representation is not necessary. The role to be played by any legal representative will be at the discretion of the Panel Chair.
- 3.5 If parents do wish to be accompanied by someone who is legally qualified, parents should have notified the Clerk to the Governors of this in the initial request for a Hearing. If parents did not do so and subsequently wish to be accompanied by a legally qualified person, parents must inform the Clerk to the Governors of this at least five working days prior to the Hearing.
- 3.6 The parents should note that the Complaints Panel will wish to speak to the parents directly. The legally qualified person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.
- 3.7 A person will be appointed to take a minute of the Hearing.

### **4. Composition of the Complaints Panel**

- 4.1 The Complaints Panel will comprise at least three individuals selected by the Convenor who have no detailed prior knowledge of the circumstances of the complaint, and will include Foundation Governors and at least one independent member who has no connection with the management or running of the Foundation.
- 4.2 The parents may ask the Clerk to the Governors to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.
- 4.3 The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

### **5. The Hearing**

- 5.1 The Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Panel should consider the parents' complaint in their absence and make findings on the substance of the complaint.
- 5.2 The Hearing will be conducted in an informal manner.
- 5.3 The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

- 5.4 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 but recording of the Hearing will not be permitted.
- 5.5 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. 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 their comments will be minuted.
- 5.6 The Chair may, at their discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 5.7 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.
- 5.8 When the Chair of the Panel considers that all the issues have been sufficiently discussed, they will conclude the Hearing.

## **6. The Decision**

- 6.1 The Panel will make findings about each complaint on the balance of probabilities and may make recommendations to the Foundation.
- 6.2 The decision, findings and any recommendations will be confirmed in writing to the parents and, where relevant, the person complained about, within seven working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the Foundation premises by the Governing Body and the Principal.
- 6.3 The completion of Stage 3 represents the conclusion of the Foundation's Complaints Procedure.