



IBSTOCK PLACE SCHOOL

Complaints Procedure
2020-21

Full School including EYFS

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1 Introduction

- 1.1 Ibstock Place School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Procedure.

2 Scope and application

- 2.1 The Procedure provides guidelines for handling complaints from parents and will apply to any expression of dissatisfaction however made about actions taken, or lack of action, by the School where the parent seeks action by the School.
- 2.2 In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Ibstock Place School will make available to parents of pupils and parents of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year. This Complaints Procedure is available on the School's website and in the School office during the school day.
- 2.3 Separate procedures apply if the Head permanently excludes or requires a pupil to leave and the parents seek a Governors' Review of that decision.
- 2.4 This Procedure applies to complaints from parents of current pupils, parents of former pupils and legal guardians if the complaint was initially raised when the pupil was registered at the School.
- 2.5 Issues relating to public examination results will, in the first instance, be dealt with using the policy for appeals for GCSEs/ IGCSEs/ A Levels/ Pre-U/ Extended Project Qualification. The Complaints Policy will only be invoked once these procedures have been exhausted.
- 2.6 Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's complaints procedures. 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, pupils or parents.
- 2.7 This Procedure describes a three stage procedure:
- (a) *Stage 1* - Informal resolution of a complaint notified orally or in writing to a member of staff.

(b) *Stage 2* - A formal complaint in writing to the Head.

(c) *Stage 3* - A reference to the Complaints Panel.

3 Management of complaints

3.1 The Head has appointed either the Deputy Head (academic), the Deputy Head (pastoral), the Head of VI or Bursar as “Delegated Persons” to be responsible for investigating and resolving formal complaints. If the Delegated Persons are unavailable or are the subject of the complaint, duties will be carried out by the Head or another senior member of staff.

3.2 The main responsibilities of the Delegated Persons are to:

(a) Be the first point of contact while the matter remains unresolved and keep records.

(b) Co-ordinate the complaints procedures in school.

(c) Maintain an on-going training programme for all school employees in relation to complaints.

(d) Monitor the keeping, confidentiality and storage of records in relation to complaints.

(e) Report regularly to the Head with respect to complaints.

(f) Every complaint notified to a member of staff will be duly noted, together with the action taken, on a standard form and e-mailed to the Head’s PA for filing.

3.3 Timescales

3.3.1 References to **working days** in this Procedure mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

3.3.2 Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs.

3.3.3 It is expected that the management of every complaint will progress in a timely manner. The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.

3.3.4 Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the School will notify the parents and inform them of the new timescales as soon as possible.

3.4 If assistance at any stage of the process is required, for example because of a disability, please inform the Bursar who will be happy to make appropriate arrangements.

4 Stage 1 - Informal resolution

4.1 We expect that most complaints, where a parent seeks intervention, re-consideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.

4.2 Please raise the complaint initially as follows:

(a) *Education issues*: if the matter relates to the classroom, the curriculum or learning support, please speak or write to the Head of Faculty as appropriate.

(b) *Pastoral care*: for complaints relating to matters outside the classroom, in the first instance please speak or write to the House Tutor or Housemaster.

(c) *Disciplinary matters*: a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it, and, if not resolved, with the Housemaster or Head of Faculty.

(d) *Financial matters*: a query relating to fees or extras should be stated in writing to the Bursar.

4.3 We will acknowledge an informal complaint by telephone, e-mail or letter within three working days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and/or a meeting with the parent.

4.4 Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue.

4.5 The parent will usually receive a response to the complaint within 15 working days of receipt of the complaint.

4.6 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. It is expected that the management of every complaint can be progressed in a timely manner and, if parents are dissatisfied. It is expected that a formal complaint will be made within 10 working days of receipt of the School's response to the informal complaint.

4.7 Complaints about the Head

4.7.1 The procedure for dealing with an informal complaint about the Head is set out below:

(a) parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1;

(b) the Head will acknowledge informal complaints within three working days and will seek to resolve the matter under Stage 1 by means of direct conversation or a meeting with the parents, usually to be held within 15 working days of the initial complaint;

- (c) if the parent is dissatisfied with the Head's 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.
- 4.7.2 Alternatively, parents may choose to make their complaint about the Head in writing to the Chairman of the Governing Body (via the Bursar). In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure.

5 Stage 2 - Formal Resolution

- 5.1 Complaints will usually only progress to Stage 2 after first being considered at Stage 1 and only then if the parent indicates that they intend to escalate the matter to the formal Stage. The formal complaint should be set out in writing with full details and sent with all relevant documents and full contact details in an envelope addressed to the Head or to the Delegated Persons.

Your complaint will be acknowledged by telephone or in writing within three working days, indicating the action that is being taken and the likely time scale.

5.2 Investigation

- 5.2.1 The subject matter of the complaint will be investigated in the most appropriate manner which may include some or all of the following steps:

- (a) the Head may ask a senior member of staff to act as "investigator";
- (b) request for additional information from the parent, including what they think might resolve the issue (if not already requested under Stage 1);
- (c) request for a conversation and/or meeting with the parent personally and/or others who have knowledge of the circumstances; and
- (d) involvement of one or more Governors.

- 5.2.2 Written records will be kept of all meetings and interviews held in relation to the complaint. Where the investigation has been delegated, the investigator will prepare a report on the investigation which will be considered by the Head. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.

5.3 Decision

- 5.3.1 The Head will notify the parent in writing of his/her decision, and the reasons for it, within five working days of the conclusion of the investigation. This will be within 20 working days from the receipt of the formal complaint.
- 5.3.2 In the Early Years Foundation Stage setting, parents will be notified of the outcome of the investigation within 28 calendar days of the complaint being received.
- 5.3.3 If a parent is dissatisfied with the Head's decision, the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out below.

5.4 Complaints about the Head

5.4.1 The procedure for dealing with a formal complaint about the Head is set out below:

- (a) The complaint should be put in writing to the Chairman of the Governing Body (via the Bursar). The written complaint should include a copy of all relevant documents and full contact details and details of all the grounds of the complaint and the outcome desired.
- (b) The Chairman of the Governing Body (via the Bursar) will acknowledge the complaint by telephone, email or letter within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will receive a response to the complaint within 20 working days from the receipt of the formal complaint.
- (c) If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 using the procedure set out below.

6 Stage 3 - Reference to a Complaints Panel Hearing

6.1 Complaints Panel hearing

6.1.1 If a parent is dissatisfied with the Stage 2 response to the complaint, the parent can request a Complaints Panel hearing.

6.1.2 A Complaints Panel hearing (Hearing) is a Hearing to consider those elements of the Stage 2 response to the parent's complaint with which the parent remains dissatisfied. The panel is not obliged to consider any new complaints which have not been previously raised.

6.2 How to request a Hearing

6.2.1 A request for a Hearing must be put in writing to the Bursar and will usually only be considered if the procedure at Stage 2 has been completed. It is expected that the complaints procedure will progress in a timely manner and requests should be made within seven working days of the date of the Stage 2 decision.

6.2.2 The written request should include:

- (a) a copy of all relevant documents and full contact details;
- (b) details of all the grounds of the complaint and the outcome desired; and
- (c) a list of the documents which the parents believe to be in the School's possession and wish the Complaints Panel to consider.

6.2.3 The Bursar will acknowledge the request for a Hearing in writing within five working days of receipt.

6.2.4 Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing. If parents do so, the matter will be deemed to be resolved to their satisfaction.

6.3 Composition of the Complaints Panel

- 6.3.1 A Complaints Panel of at least three members will be constituted comprising School Governor members and a member who is independent of the governance, management and running of the School. The Panel members will have no detailed prior knowledge of the circumstances of the complaint.
- 6.3.2 The parent may ask the Bursar to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the panel.
- 6.3.3 The Complaints Panel members will appoint one of themselves to be the Chair of the panel throughout the proceedings.

6.4 Role of the Complaints Panel

- 6.4.1 The role of the Panel is to establish the facts surrounding the complaints that have been made by considering:
 - (a) the documents provided by both parties and
 - (b) any representations made by the parties and to reach a decision, on the balance of probabilities, as to whether to uphold each complaint in whole or in part.

6.5 Planning the Hearing

- 6.5.1 The Bursar will convene the Complaints Panel as soon as reasonably practicable and every effort will be made to enable the Hearing to take place within 20 working days of receipt of the request.
- 6.5.2 At least ten working days before the Hearing, the Bursar will send written notification to each party of the date, time and place of the Hearing together with brief details of the Panel members who will hear it.
- 6.5.3 Copies of any documents (additional to those specified in 6.2.2 above) that the parent wishes the complaints panel to consider should be sent to the Bursar to be received at least seven working days prior to the Hearing.
- 6.5.4 The Bursar will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least three working days before the Hearing.
- 6.5.5 The parent will be asked to attend the Hearing and may be accompanied by one other person such as a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and legal representation is not necessary. If the parent wishes to be accompanied by someone who is legally qualified, he/she must notify the Bursar of this at least seven working days prior to the Hearing. Parents should note that the Panel will wish to speak to the parents directly and this 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 Complaints Panel.

6.6 The Hearing

- 6.6.1 The Hearing should proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Complaints Panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint.
- 6.6.2 All statements made at the hearing will be unsworn. The parties will be entitled, should they wish, to write their own notes for reference purposes. The Bursar will be asked to take a handwritten minute of the proceedings.
- 6.6.3 During the Hearing, the parties shall have the opportunity of asking questions and making 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.
- 6.6.4 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 Chairman. 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.
- 6.6.5 The Chair may at his/her discretion, adjourn the Hearing if he/she considers it appropriate to do so. This may include an adjournment for further investigation of any relevant issue or for the parties to take legal advice on a specific issue arising.
- 6.6.6 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.
- 6.6.7 When the Chair of the Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he/she will conclude the Hearing.

6.7 Decision

- 6.7.1 The Complaints Panel will make findings about each complaint on the balance of probabilities and may make recommendations.
- 6.7.2 The Panel's findings and any recommendations shall be provided in writing to the parents and, where relevant, the person complained about, within seven working days of the Hearing. Reasons for the decision will be given. The findings and any recommendations will also be available for inspection on the School premises by the Governing Body and the Head.
- 6.7.3 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

7 Records of complaints

- 7.1 All records created in accordance with this Procedure are managed in accordance with the School's policies that apply to the retention and destruction of records.

- 7.2 The School maintains a written record of all formal complaints and whether they were resolved at the Stage 2 or proceeding to a Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld).
- 7.3 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.
- 7.4 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.
- 7.5 A record of a complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted and the Independent Schools Inspectorate (ISI) on request.

8 Complaints to Ofsted and the ISI

- 8.1 Parents have the right to contact Ofsted and/or the ISI if they believe the School is not meeting the EYFS requirements.
- 8.2 ISI can be contacted at ISI, CAP House, 9-12 Long Lane, London EC1A 9HA (Tel: 020 7600 0100) or by e-mail at concerns@isi.net.
- 8.3 Ofsted can be contacted on 0300 123 1231 or at enquiries@ofsted.gov.uk.

9 Review and verification

- 9.1 This Procedure is reviewed annually by the Governing Body of the School.

Mrs G Covill
Chairman of Governors

Date: September 2020

Date of next review: September 2021

2019 - 2020:

Number of complaints – none.