

Amesbury Complaints Policy



Signature
Jonathan Whybrow
Head

Date: 12th October 2020



Signature
Tarquin Henderson
Chairman
Board of Governors

Date: 12th October 2020

COMPLAINTS POLICY

INTRODUCTION

Circulation: This policy applies to parents of all pupils currently at Amesbury, including those in the EYFS Department. It is available for current parents and for parents of pupils who have left the school IF the procedure was started before the child left. The policy is not intended to be used by staff or pupils.

It can be accessed via the school website or by requesting a hard copy at the School Office. The policy can be made available in large print or other accessible format if required. If you require assistance with making a complaint, for example because of a disability, please contact the school office who will make appropriate arrangements.

Policy Status: The Head has responsibility for this policy and it is submitted to the governing body (who have overall responsibility for meeting the regulatory requirements) annually for approval. It provides guidelines for handling concerns and complaints and is drafted in accordance with Part 7 of The Education (Independent School Standards) Regulations 2014, which require independent schools to adopt, to make available and to apply a complaints procedure in order to fulfil its regulatory responsibilities. The Head & SLT have a central role in understanding, implementing, monitoring and evaluating the effectiveness of the policy.

Scope & Application: The scope of this policy includes arrangements for EYFS provision, Y1-8, and incorporates boarding provision (additionally see additionally C12).

Separate procedures apply in the event of a child protection issue or if the Head expels or asks a pupil to leave and the parents seek a Governor Review of that decision. The term 'parent(s)' and 'you' include a current or legal guardian or education guardian, and include a parent whose child has recently left the school if the complaint was raised when the pupil was registered at the school.

Three Stage Complaint Process: This policy describes a three stage approach:

Stage 1: Informally raising a complaint, orally or in writing to a member of staff.

Stage 2: A Formal Complaint in writing to the Head

Stage 3: A referral to the Complaints Panel

Timescales: 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 the School is open during the term time. The dates of terms are published on the School website.

POLICY AIM AND STATEMENT

Aim: The aim of this policy is to ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' confidence in our ability to safeguard and promote welfare. We try to resolve every concern in a

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positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in the light of the circumstances.

Policy statement: We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our school culture. Parents should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a pupil or his / her opportunities at Amesbury.

MANAGEMENT OF COMPLAINTS

1. Informal Resolution

- a) All complaints must go through Stage 1 before moving to Stage 2, even though it is possible that one might move from one stage to another in the same day. It is hoped that most complaints and concerns will be resolved quickly and informally. Examples might range from very serious matters around discrimination, harassment or victimisation, to more general dissatisfaction about some aspect of teaching or pastoral care, information / communications with the school, a timetable clash of some other aspect of the School's systems or equipment, or a billing error.

Notification: in general terms please raise a complaint initially as follows:

Education – if the matter relates primarily to the classroom, the curriculum, Learning Support, please speak or write to the Form Teacher / Tutor / Subject teacher, Head of Department, Deputy Head Curriculum.

Pastoral – for matters primarily around a child's general welfare, including bullying, disciplinary matters, speak to the Form Teacher / Tutor / Head of Year, Deputy Headmaster (Pastoral).

Financial – a query relating to fees or extras should be stated in writing to the Bursar.

Communications – Head of Marketing.

- b) If an initial meeting does not come to a satisfactory conclusion and you wish to discuss your concerns further you are encouraged to make an appointment to meet with The Head of EYFS, Head of Year, Deputy Headmaster, Deputy Head Curriculum or Bursar.
- In each of these cases the member of staff will make a written record of your concern/complaint and the date on which they were received.
 - The School will endeavour to investigate and resolve the matter as speedily as possible. However, school holidays, half-terms, the absence of relevant people perhaps due to school trips might cause some delay. However under normal circumstances five school days should suffice.

- c) As an EYFS provider the school will investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. A record of such written complaints will be made available to Ofsted on request.

If Parents believe that the school is not meeting the EYFS requirements they may contact Ofsted or ISI directly. Contact details are provided below.

- d) During the Christmas and Easter holidays an outside limit (of 25 **working** days) may be required to cover the period from the lodging of the complaint to its resolution.
- e) During the summer holidays an outside limit (of 35 **working** days) may be required to cover the period from the lodging of the complaint to its resolution.
- f) The school will take any complaint seriously, and endeavour to act as speedily as possible and to keep the complainant well informed on progress.
- g) In the event that a satisfactory resolution between school and home cannot be reached, parents may decide to proceed with their complaint in accordance with Stage 2 Formal Resolution (see below).

2. Formal Complaint & Resolution

- a) An unresolved complaint under Stage 1, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the Head. Your complaint will be acknowledged in writing within two working days during term time, indicating the action that is being taken and the likely time scale.
- b) The Head **may** ask a member of the Senior Leadership Team to act as "investigator". The Head or member of the SLT concerned may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Head, if she does not undertake the investigation herself. She will then notify you in writing of her decision and the reasons for it.
- c) In most cases the Head will meet the parents concerned normally within five school days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- d) It may be necessary for the Head to carry out further investigations.

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- e) The Head will keep written records of all meetings and interviews held in relation to the complaint. Once she is satisfied that, so far as is practicable, all of the relevant facts have been established, she will make a decision and write to parents informing them of that decision and where possible the rationale for it.
- f) If parents are still not satisfied with the decision they should proceed to Stage 3 of this procedure requesting that the complaint is referred to the Complaints Panel.

3. Panel Hearing

- a) A Panel Hearing is a review of the decision taken by the Head. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- b) In the event that a complaint cannot be dealt with to your satisfaction, contact can be made by writing to the Chairman of Governors, T Henderson Esq., at the school address.
- c) The matter will be referred to the Complaints Panel for consideration. The panel is appointed by the board of governors and will consist of at least three persons who are not directly involved in the matters detailed in the complaint. One member of the Panel will be independent of the management and running of the school. The Chairman, on behalf of the Panel will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 21 days. The Panel will not normally sit during half terms or school holidays.
- d) If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than three days prior to the hearing.
- e) **Attendance:** Parents may be accompanied to the hearing by one other person. The Panel Hearing is not a legal proceedings and so legal representation is not necessary. If you do wish to be accompanied by a legally qualified person, please notify the School of this at least five working days before the hearing and note that the panel will wish to speak to you directly and this person will not be permitted to address the hearing unless invited to do so by the Chair of the Panel.
- f) **Documents:** Copies of additional documents you wish the panel to consider should be sent to the Head's PA at least five working days prior to the hearing. The Head's PA will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three days prior to the hearing.
- g) **Chair:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- h) **Hearing:** 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. The Head's PA will be asked to take a handwritten minute of the proceedings.

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- i) **Evidence:** The Chair will conduct the hearing in such a way as to ensure that the parties 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 obligations to hear oral evidence from witnesses but may do so and / or may take written statements into account.
- j) **Conduct:** 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.
- k) **Adjournment:** 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. When the Chair considers that all the issues have been sufficiently discussed, he will conclude the hearing.
- l) If further investigation is required, the Panel will decide how it should be carried out.
- m) **Decision:** After due consideration of all facts they consider relevant, the Panel shall reach a decision unless there is no agreed position (see l). The Panel's decision, findings and any recommendation shall be confirmed in writing to you and, where relevant, any person complained about by electronic mail where appropriate within seven working days of the hearing. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you.
- n) The Panel's decisions, findings and, if any, recommendations will be made available for inspection on the school premises by the Governing Body and the Head.
- o) Private proceeding: 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 proceedings shall be made available directly or indirectly to the press or any other form of media.
- p) The completion of Stage 3 represents the conclusion of the School's Complaints Procedure
- q) **Record Keeping and Confidentiality:** A written record will be kept of all complaints, and whether they are resolved at Stage 1, Stage 2 or proceed to a panel hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld). The number of complaints registered under the formal procedure during the preceding school year will be made available to Parents as part of this policy. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting inspection under Section 108 or 109 of the 2008 Act requests access to them; or where any other legal

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obligation prevails. 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.

- r) The School Boarding Policy (B1a) outlines arrangements for Complaints having regard for Standard 18 of the National Minimum Standards for Boarding Schools.
- s) At the Early Years Foundation Stage (EYFS) a record of complaints is kept for at least three years.
- t) At the EYFS stage the school will notify complainants of the outcome of any investigation within 28 days of having received the complaint
- u) The school will provide Ofsted [and ISI], on request, with a written record of all complaints made during any specified period, and the action taken as a result of each written complaint.
- v) EYFS parents have the right to complain to Ofsted and or ISI if the school is failing to fulfil EYFS requirements. They may do so by following the directions below:-

Ofsted
Helpline: 0300 123 1231
Email: enquiries@ofsted.gov.uk

Ofsted have a leaflet that gives information about how to raise concerns with a provider, how to raise concerns with them, what they can and will do when they receive the complaint and their enforcement and other powers.

Contact details for (ISI) Independent Schools Inspectorate

CAP house
9-12 Long Lane
London
EC1A 9HA

Email: info@isi.net

The Commission for Social Care Inspection (Surrey Local Office) also have a statutory responsibility to receive complaints where appropriate. Parents may decide to contact ISI at the following address: www.ISI.org.uk

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POLICY EFFECTIVENESS: MONITORING, EVALUATION, DEVELOPMENT

The SLT review complaints on a weekly basis, and when it is considered necessary governors are informed. Formal Complaints are reviewed by the SLT, and governors are always informed about the nature of such complaints and the outcome / resolution.

The Head regularly reports to governors on the effectiveness of this policy and a copy of the report is retained in the complaints file. This used as a tool for self-evaluation purposes, which help to shape The School Plan.

A number of associated policies provide a framework against which complaints are categorised and reviewed. These include Anti-Bullying, Child Protection & Safeguarding, E-Safety, Staff Code of Conduct, Staff Disciplinary, Grievance and Whistleblowing, First Aid, Supervision of Pupils, Behaviour Management, Admissions, Equal Opportunities.

Number of Complaints during academic year 2019-2020

The school received one formal complaint during the academic year 2019-2020.