

## Oakwood School Complaints Policy

This policy applies to the whole school, including the EYFS

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### Definitions:

“EYFS”	Early Years Foundation Stage
“IAPS”	Independent Association of Preparatory Schools
“ISI”	Independent Schools Inspectorate
“PACT”	PACT Educational Trust Ltd
“SMT”	Senior Management Team

## 1 Introduction

- 1.1** We strive to provide a good education for all our children. Our Head and staff work very hard to build positive relationships with all parents. However, our school is obliged to have procedures in place in case there are complaints by parents. Our school accepts that all concerns are treated as complaints and therefore fall within the scope of this policy. The following policy sets out the procedures that our school follows in such cases. A copy of this policy is available on our school website and in hard copy from our school office.
- 1.2** If any parents are unhappy with the education that their child is receiving, or have any concerns relating to our school, we encourage them to talk to their child’s class teacher immediately.
- 1.3** All parents have the right, as a last resort, to appeal to the PACT governing body if they still feel that their complaint has not been properly addressed.

## 2 Aims

- 2.1** The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible.
- 2.2** Our school aims to be fair, open and honest when dealing with any complaint, and we aim to work collaboratively in partnership with parents. 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. In all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

- 2.3** We try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances. 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.

### **3 The complaints process**

- 3.1** The procedures set out below may be adapted as appropriate to meet the policy aims and the circumstances of each case. Certain parts of the procedures can only be carried out during term time. Timescales included in this policy refer to term time only. If a complaint is received during a holiday period or cannot be resolved because of a holiday period, the time frame common to that particular stage begins from the first day of the following term.
- 3.2** A written record is kept of all complaints made in writing under the formal part of our school's procedures, whether they were resolved at the preliminary stage or proceeded to a panel hearing and the action taken by our school as a result of those complaints (regardless of whether they are upheld). Details of any informal complaints may be kept in the Incidents File for management purposes to enable patterns of concern to be monitored. 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 2008 Act requests access to them.
- 3.3** Exclusions are not covered by this policy, those procedures can be found in section 8 of the 'Behaviour & Discipline' Policy.
- 3.4** Our school's procedures only apply to past pupils if the complaint was initially raised when the pupil was still registered.

#### **Stage One : Informal Resolution**

1. It is hoped that most concerns and complaints are resolved quickly and informally. If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter informally with their child's class teacher. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress. Any written notification is acknowledged by email or telephone within 48 hours of receipt during term time and as soon as is practicable during holidays.
2. On occasion, complaints may be dealt with by members of the SMT (including our Head) but still be resolved informally and successfully. In our experience most of these matters of concern can be resolved positively at this preliminary stage.
3. Should the matter not be resolved within 15 working days, then parents may proceed with their complaint in accordance with Stage Two of this policy.

#### **Stage Two : Formal Resolution**

1. If the complaint cannot be resolved on an informal basis, as described in Stage One, parents should put their complaint in writing to our Head. He decides, after considering the complaint, the appropriate course of action to take. This must be done even where the informal process

has been conducted with our Head. If parents require assistance with their request, for example because of a disability, the school is happy to make appropriate arrangements.

2. In most cases, our Head meets or speaks to the parents concerned to discuss the matter, normally within 5 working days of receiving the complaint. If possible, a resolution is reached at this stage.
3. It may be necessary for our Head to carry out further investigations or to ask a senior member of staff to act as investigator. That person may ask for additional information from parents and may wish to speak to parents personally and to others who may have knowledge of the circumstances including, if appropriate, their child.
4. Once our Head is satisfied that, as far as is practicable, all of the relevant facts have been established, a decision is made and parents are informed of this decision in writing. Our Head also gives reasons for this decision. Our Head's aim is to inform any complainant of the outcome of an investigation and the resolution of the complaint within 28 working days from the first receipt of the complaint.
5. If parents are dissatisfied with our Head's decision under Stage Two, they may proceed to Stage Three of this policy.

### **Stage Three : Panel Hearing**

1. **Introduction and Scope of the Hearing.** Where parents are not satisfied with the response to the complaint made in accordance with Stage Two above, provision will be made for a hearing before a Panel appointed by or on behalf of the Governing Body, and consisting of at least three people who were not directly involved in the matters detailed in the complaint. The Governing Body will ensure where there is a Panel hearing of a complaint, one Panel member is independent of the management and running of the school. Parents may attend and be accompanied at the Panel hearing if they wish. The Panel will make findings and recommendations and will provide a copy of those findings and recommendations to the complainant and where relevant the person complained about, and such findings and recommendations will be available for inspection on the school premises by the Governing Body and the Head.
2. **Notification.** If parents seek to invoke Stage Three (following a failure to reach an earlier resolution), they are entitled to write to the Governing Body (c/o The Cedars School, Coombe Road, Croydon, CR0 5RD), within 5 working days of receipt of our Head's decision, requesting a Panel hearing. Parents must state in their letter full details of the complaint, the outcome sought, the grounds on which they wish to appeal against the decision of our Head and enclosing all relevant documents and full contact details. Parents should also include a list of the documents which they believe to be in the school's possession and wish the Panel to see. If parents require assistance with their request, for example, because of a disability, our school is happy to make appropriate arrangements. The parents' letter is normally acknowledged by telephone, email or letter within 5 working days during term time, indicating the action that is being taken and the likely time scale.
3. **Convening the Panel.** Our Chair of Governors then convenes a Complaints Panel to consider the complaint, provided Stages One and Two above have been completed. The Panel normally consists of at least three people, including School Governor members (one of whom is the Chair of the Panel) and independent members who have no prior knowledge of the circumstances of the complaint. One Panel member is independent of the governance and management of the school.
4. **Notice of hearing.** Every effort is made to enable the Panel hearing to take place within 15 working days of the receipt of parents' requests. As soon as reasonably practical, and in any event, at least 5 working days before the hearing, parents are sent written notification of the date, time and place of the hearing, together with brief details of the Panel members who are going to be present.
5. **Attendance.** Parents are invited to attend the hearing, and they may be accompanied by one other person. Legal representation is not necessary or normally appropriate, but if parents do wish to be accompanied by a legally qualified person, acting in their professional capacity, they

should notify our school at least 7 working days before the hearing. Copies of additional documents that parents wish the Panel to consider should be sent to the Panel Chair at least 3 working days prior to the hearing.

6. **The Role of the Panel.** The role of the Panel is to establish the facts surrounding the complaint by considering:
  - the documents provided by both parties
  - any representations made by parents, our Head or other members of staff.
7. **Powers of the Panel.** It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to our Head or to the full body of School Governors as appropriate.
8. **Hearing.** All statements made at the hearing are unsworn and all present are entitled to make their own notes. The Panel Chair arranges for a person to take handwritten minutes of the proceedings.
9. **Evidence.** The Chair conducts the hearing in such a way as to ensure that all present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel is under no obligation to hear witnesses but may do so if it wishes.
10. **Conduct.** All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the Chair may terminate or adjourn the hearing. If the hearing is terminated, the original decision stands. Any person who is dissatisfied with the conduct of the hearing must say so before the hearing proceeds further and his/her comment are recorded.
11. **Adjournment.** If possible, the Panel resolves the parents' complaint immediately without the need for further investigation. However, the Chair may adjourn the hearing at their discretion for further investigation of any relevant issue including taking legal advice.
12. **Decision.** After due consideration of the matters discussed at the hearing, the Panel reaches a decision, unless there is not an agreed position. The panel either upholds or dismisses the complaint, making its decision on the balance of probabilities. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to parents by electronic mail where appropriate within 10 working days. If parents do not wish to receive the decision by electronic mail, then a copy is posted to the parents address that we have on record. The decision, reasons, findings and any recommendations are available for inspection at our school premises by our Governing Body and our Head. The decision may include recommendations and is sent to parents, our Chair of Governors, our Head and, where relevant, any person about whom the complaint has been made.
13. If we remain unable to satisfy a parent's concerns they may wish to consider seeking independent legal advice, raising the matter with the IAPS of which our Head is a member or contacting the ISI.

#### **4 Early Years Foundation Stage (EYFS)**

- 4.1 If parents with children in the EYFS wish to make a formal complaint against our school in writing, they can register their complaint with one of the following organisations:

Ofsted – Piccadilly Gate, Store Street, Manchester, M1 2WD

Tel. 0300 123 1231, email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or

Independent Schools Inspectorate (ISI) – Cap House, 9-12 Long Lane, London, EC1A 9 HA, Tel. 020 7600 0100, email [info@isi.net](mailto:info@isi.net)

- 4.2 If an investigation is to take place, our school notifies complainants within 28 working days of having received the complaint.
- 4.3 Records of complaints involving children in the Early Years are kept for at least three years.

**4.4** If requested by Ofsted and/or the ISI, our school provides a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

**5 Monitoring and review**

**5.1** Our Governors acknowledge their responsibility in ensuring that this policy is effective in its implementation and meets all current regulatory requirements. Our PACT governing body monitors the complaints procedure, in order to ensure that all complaints are handled properly. Our Head ensures that written records are kept of all complaints made in writing under the formal part of our school's procedures, whether they were resolved at the preliminary stage or proceeded to a panel hearing and the action taken by our school as a result of those complaints (regardless of whether they are upheld). Our governors examine this log on an annual basis.

**5.2** The number of complaints that reached beyond Stage One in the previous academic year is provided below (updated annually).

**5.3** Although this policy is only formally reviewed every 2 years, it will be amended earlier if legislation or procedures change prior to that time.

**5.4** Our governors take into account any local or national decisions that affect the complaints process, and make 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.

**Signed: C Candia**

<b>This policy will be reviewed every 2 years</b>	
Title	Complaints
Version	5
Date of Review	22 November 2018
Author	Ciro Candia, Head
Approved by SMT	Yes
Approval/Review required by PACT or sub-committee	Yes
Latest Review (state whether changes were made)	Yes
Next Review Date	Autumn 2020

**This policy should be read in conjunction with the following related policies:**

Behaviour & Discipline.

**COMPLAINTS RECEIVED IN THE ACADEMIC YEAR 2017 – 18:**

One complaint reached Stage Three.