

COMPLAINTS PROCEDURE for Parents



St John's School
LEATHERHEAD

Date of issue:	September 2020
Date of next review:	September 2021
Responsible person:	Secretary to the Council
References:	Education and Skills Act 2008; The Education (Independent School Standards) Regulations 2014; DfE Boarding Schools National Minimum Standards, 2015.
Policy number:	33a

1 INTRODUCTION

St John's School prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint the School will ensure it is treated with care and is handled in accordance with this procedure.

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff. 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 done or acted unfairly.

Parents can be assured that all complaints will be treated confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

The School aims to ensure that:

- parents wishing to make a complaint know how to do so and that the School will listen, take complaints seriously and treat all complaints with care;
- the response to a complaint is made within a reasonable timescale;
- a thorough and impartial investigation is carried out with sensitivity;
- appropriate action is taken and records retained.

A Pupil Complaints Procedure is printed in the annual *Pupil Handbook* and is also on display on House noticeboards.

Appeals against exclusions are dealt with in accordance with the School's *Permanent Exclusion Policy and Procedure*, which is published on the School website.

Reference to 'school working days' shall mean Monday to Friday when the School is open during term time. Term dates are published on the School website.

This Complaints Procedure is not available for use by parents of prospective pupils.

2 CONFIDENTIALITY

Parents can be assured that all complaints will be treated confidentially. Complaints records will be kept confidential except where the Secretary of State or body conducting an inspection under S109 of the Education and Skills Act 2008 requires access. Disclosure is required in the course of the School's inspection or where any other legal obligation prevails.

3 STAGE 1: INFORMAL RESOLUTION

A parent may raise a complaint regarding a wide variety of matters. The School will treat all complaints seriously and aims to resolve them quickly and informally. The School aims to resolve most Stage 1 complaints in five school working days.

- a) If a parent has a complaint, they should contact their child's Housemaster/Housemistress. It is anticipated that in many cases the matter will be resolved by this means to the parent's satisfaction. Please remember that teachers will have a full programme of teaching and activities and may not be able to respond to you on the same day. They will endeavour to do so within 24 hours.
- b) Parents may make their complaint in writing, but doing so does not automatically escalate the complaint to the 'Formal' stage (Stage 2). A complaint made directly to the Head may still be resolved at an informal stage.
- c) If the Housemaster/Housemistress cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department, the Head or one of the Deputy Heads.
- d) The Housemaster/mistress will make a record of the details of the complaint, the date on which it was received and is expected to inform the Head's PA who will retain a record of the complaint.
- e) Should the matter not be resolved within ten school working days (or such longer period as mutually agreed by the parent and the Housemaster/Housemistress) or in the event that the Housemaster / Housemistress and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.
- f) If the complaint is against the Head, the parent should provide full details of the complaint to the Chair of the Governing Council. Please see Stage 2 (part 'h') for the relevant contact details and procedure.

4 STAGE 2: FORMAL RESOLUTION

The School aims to resolve formal complaints within twenty school working days of receipt, and as soon as practicable during holiday periods.

- a) If the complaint cannot be resolved on an informal basis, the parent should submit the full details of the complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- b) The Head or another senior member of staff will acknowledge receipt of the complaint within three school working days and if necessary will arrange to speak to or meet the parent concerned to discuss the matter within ten school working days of receipt of the written complaint, or such longer period as mutually agreed by the parent and the Head. If possible, a resolution will be reached at this stage.
- c) It may be necessary for the Head or another senior member of staff to carry out further investigations.
- d) Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parent will be informed of this decision in writing no more than twenty school working days following receipt of the formal complaint. The Head will also give reasons for the decision and state any corrective action proposed.
- e) In exceptional circumstances the Head will agree with the parent when a decision can be expected.
- f) If the parent is still not satisfied with the decision (or in the event of the complaint being made against the Head the parent is not satisfied with the decision made by the Chair of Council) the parent should proceed to Stage 3 of this procedure.
- g) The Head will keep written records of all meetings and interviews held in relation to the complaint. Records of the complaint, the outcome and any actions taken will be kept in the School's central record of complaints.
- h) If the complaint is against the Head, the parents can refer it to the Chair of the Governing Council by writing to the Secretary to the Governing Council at the School address (or by email to sgraham@stjohns.surrey.sch.uk) stating clearly that they are making a complaint. The Chair of Governing Council or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governing Council or their nominee may also call for a briefing from relevant members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governing Council is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of their decision in writing. The Chair of Governing Council or their nominee will give reasons for their decision. If parents are not satisfied with the decision, they should proceed to Stage 3 of this Complaints Procedure.

5 STAGE 3: PANEL HEARING

Stage 3 will be a full-merits hearing of the complaint, not merely a check that process was followed. The School aims to complete the stage 3 process within forty five school working days of receipt, and as soon as practicable during holiday periods.

- a) If, following a failure to reach an earlier resolution under Stage 2, the parent wishes to request a Panel hearing they must write to the Secretary to the Council ("the Secretary") who has been appointed by the Governors to call hearings of the Complaints Panel ("the Panel"). See Stage 2(h) above for contact

details. The request should be made within ten school working days of receipt of the decision under Stage 2.

- b) The request will normally be considered only if the procedures at Stages 1 and 2 are completed and the Panel will only consider areas of complaint which have been previously raised in earlier Stages.
- c) On behalf of the Panel the Secretary will acknowledge the request in writing within five school working days of receipt of the request and schedule a hearing to take place as soon as practicable but within thirty school working days following acknowledgment of the request, or such longer period as mutually agreed with the parent.
- d) The Panel will consist of three people who were not directly involved in the matters detailed in the complaint: two members of the Governing Council and one who shall be independent of the management and running of the School.
- e) Each of the Panel members shall be appointed by the Chair of Council save where the complaint involves the Chair when the Vice Chair of Council shall make the appointment. The Chair of Council (or Vice Chair, if the complaint involves the Chair) shall appoint a Panel member to act as Chair of the Panel.
- f) The Head will be asked to provide a written report of the findings at Stage 2 plus any reports or statements from other members of staff or witnesses for the School, and copies of any documents on which the School proposes to rely within ten school working days of the acknowledgment of the request.
- g) The parent will also be asked to provide any further documentation in support of their complaint, together with copies of any documents on which they propose to rely within ten school working days of the acknowledgment of the request.
- h) The Secretary will act as clerk to the Panel and will provide details of the complaint, copies of all relevant reports and statements to the members of the Panel, the School and the parent no less than fifteen school working days prior to the hearing and will notify all parties and witnesses of the time, date and venue of the hearing.
- i) If the Panel deems it necessary it may direct that more details of the complaint or any related matter be supplied in advance of the hearing. Copies of such further details shall be supplied to all parties and no later than five school working days prior to the hearing.
- j) Parents may choose to attend the hearing and may be accompanied by one other person. This may be a relative, teacher or friend. The hearing is an internal proceeding and not a legal process. Legal representation will not normally be appropriate.
- k) The manner in which the hearing is conducted shall be at the discretion of the Panel.
- l) A contemporaneous minute of the hearing will be taken and those present may make their own handwritten notes. No recordings of the meeting (audio, video or any means) will be permitted.
- m) After establishing the facts and giving them due consideration, the Panel will reach a decision either to uphold or dismiss the complaint and may make recommendations to the Head or the Governing Council as appropriate. It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents.
- n) The Panel will write to the parent within ten school working days to inform the parent of its decision and the reasons for it. The Panel's findings and any recommendations will also be sent in writing to the Head, the Governing Council and, where relevant, the person complained of. The decision of the Panel will be final.

6 RECORDING COMPLAINTS AND USE OF PERSONAL DATA

The School will keep written, central records of all complaints and appeals and any action taken by the School as a result of any complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice, which is available in the Policies section of the School website (<https://www.stjohnsleatherhead.co.uk/policies>). When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage

- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Minutes of the Panel hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, and potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

Records of complaints will be retained for at least 7 years¹.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, the School makes available to parents of pupils and of prospective pupils, and provides, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

7 PERSISTENT CORRESPONDENCE

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of this procedure.

8 USEFUL INFORMATION AND CONTACT DETAILS

School Staff

School staff are contactable via 01372 373000 or school@stjohns.surrey.sch.uk.

Independent Schools Inspectorate (ISI)

The School is inspected by the ISI and parents can contact an inspector concerning any complaint or concern, including pupil welfare, at the address below. The ISI will usually expect the School's formal complaints procedure to have been followed prior to contacting them.

ISI

CAP House

9-12 Long Lane

London EC1A 9HA

Tel: 0207 7600 0100

Email: info@isi.net or concerns@isi.net

Local Authority Designated Officers (LADOs)

The local authority provides designated officers (LADOs) who manage allegations against individuals who work or volunteer with children in Surrey. The Surrey LADO can be contacted on 0300 123 1650 or LADO@surreycc.gov.uk.

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Approved by	Rowena Cole, the Head
Governor oversight	RMCC to note, November 2020

¹ Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.