

# COMPLAINTS PROCEDURE for Parents



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Responsible Person:	Finance Director
References:	Education and Skills Act 2008; The Education (Independent School Standards) Regulations 2014; DfE Boarding Schools National Minimum Standards, 2015.
Policy number:	33a

This procedure is available on the policies page of the School website and is referred to in the annual *Parent Handbook*.

## 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;
- the Pupil Complaints Procedure is printed in the annual *Pupil Handbook* and is also on display on House noticeboards;
- any 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.

## 2 REPORTING

In the academic year 2016-17 the School received 3 formal complaints (i.e. stage 2 and above).

## 3 CONFIDENTIALITY

Parents can be assured that all complaints will be treated confidentially. Correspondence, statements and records relating to individual complaints 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.

#### **4 STAGE 1 – INFORMAL RESOLUTION**

- a) 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.
- b) 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. If the Housemaster/Housemistress cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department or the Head or Deputy Head.
- c) The Housemaster/mistress will keep a record of the details of the complaint and the date on which it was received and feedback will be given to the parent.
- d) Records of all complaints and the action taken will be retained by the School.
- e) Complaints made directly to the Head will usually be referred to the relevant Housemaster/Housemistress unless the Head deems it appropriate to deal with the complaint personally.
- f) If the complaint is against the Head, the parent should provide full details of the complaint to the Chair of Council. The Chair of Council will call for a full report from the Head and for all the relevant documents. The Chair may also call for a briefing from members of staff and in most cases will speak to or meet with the parent to discuss the complaint further. Once the Chair is satisfied that, so far as practicable, all of the relevant facts have been established the parent will be informed of the decision in writing. The Chair will give reasons for the decision.
- g) Should the matter not be resolved within ten school working days or such longer period as mutually agreed by the parent and the Housemaster/mistress, or in the event of failure to reach a satisfactory resolution, then the parent will be advised to pursue the complaint formally in accordance with Stage 2 of this procedure.

#### **5 STAGE 2 – FORMAL RESOLUTION**

- 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 response will be made and the parent will be informed of this response in writing no more than twenty school working days after acknowledgement of the complaint. The Head will also give reasons for the response and state any corrective action which is proposed.
- e) In exceptional circumstances the Head will agree with the parent when a decision can be expected.
- f) The Head will keep written records of all meetings and interviews held in relation to the complaint.
- g) A summary of the complaint, the outcome and any actions taken will be recorded on the School's central record of complaints.
- h) If the parent is still not satisfied with the resolution 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.

## 6 STAGE 3 - PANEL HEARING

- a) If, following a failure to reach an earlier resolution under Stage 2, the parent wishes to request a Panel hearing the parent should make the request in writing to the Head within ten school working days of receiving the decision under Stage 2. 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. The request will be referred to the Secretary to the Council ('the Secretary') who has been appointed by the School's Governing Council to call hearings of the Panel.
- b) 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 within thirty school working days following acknowledgment of the request or such longer period as mutually agreed with the parent.
- c) The Panel will consist of at least three persons not directly involved in the matter detailed in the complaint: two members of the Governing Council and one who shall be independent of the management and running of the School.
- d) 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. When appointing the independent member of the Panel the Chair or Vice Chair shall follow Department for Education guidance on the selection of an independent Panel member.
- e) The independent member of the Panel shall 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, and witness statements, 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, within five school working days of receipt of details of the complaint and other documents, 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 the Panel 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. If parents do wish to be accompanied by a legally qualified person, acting in their professional capacity, they must notify the School at least five school working days prior to the hearing. In the event that the parents notify the School that they wish to be accompanied by a legally qualified person acting in their professional capacity then the School may appoint a legally qualified person to attend the Hearing.
- k) Any legally qualified persons attending the Hearing 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. The Panel's task is to establish the facts underlying the complaint by considering the documents provided by both parties and any oral evidence made by the parties.
- l) The aim of the Hearing which will be held in private will always be to resolve the complaint and achieve reconciliation between the School and the parent.
- m) The Chair of the Panel will make the introductions and outline the proceedings.
- n) The Chair of the Panel will conduct the Hearing in such a way 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 obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The Chair of the Panel at his or her discretion may request witnesses to give oral evidence.
- o) The Chair of the Panel may at his or her discretion adjourn the hearing for any reason. In that event the Secretary will fix a new date for the adjourned hearing to be agreed with both parties.

- p) The Chair of the Panel will explain that both parties will receive the Panel's decision and/or findings within a set time and both parties will be asked to leave whilst the Panel decides on the issues.
- q) The Secretary will ensure that a written record of the hearing is kept.
- r) If when considering their decision the Panel consider that further investigation is required, the Panel will decide how it should be carried out and the hearing will be adjourned. The parents and the Head will be informed of the process and timescale and, if appropriate, will be provided with copies of any additional material relevant to the complaint.
- s) 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.
- t) It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents.
- u) The Panel will write to the parent within ten school working days to inform the parent of its decision and the reasons for it.
- v) The Panel's findings and any recommendations will also be sent in writing to the Head, the Chair of Council and, where relevant, the person complained of.
- w) The Panel's findings and any recommendations will also be available for inspection on the School premises by the Chair of Council and the Head.
- x) A summary of the complaint, the outcome and any actions taken will be recorded on the School's central record of complaints.
- y) Each party will be responsible for their own costs.

## **6 CENTRAL RECORD OF COMPLAINTS**

A written central record of each formal complaint is kept by the School and will include:

- whether the complaint was resolved at Stage 2 or proceeded to a Stage 3 Panel hearing; and
- actions taken by the School as a result of the complaint;

## **7 USEFUL INFORMATION AND CONTACT DETAILS**

### *School Staff*

School staff are contactable via 01372 373000 or school@stjohns.surrey.sch.uk. The number of complaints registered in the previous academic year under the formal stages of this procedure will be supplied to parents on request to the Secretary to Council.

### *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.