

POLICY DOCUMENT

COMPLAINTS POLICY



**HIPPERHOLME
GRAMMAR**

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Hipperholme Grammar School prides itself on the quality of teaching and pastoral care provided to our pupils. However, we recognise that from time to time concerns and complaints will arise, and our aim is to deal with these fairly and objectively in accordance with this procedure. This policy document is available on the school's website and on request to the parents of pupils and prospective pupils at the School and to members of staff.

This policy provides guidelines for handling concerns and complaints in relation to the education, pastoral care or welfare of all pupils, including those pupils within the Early Years Foundation Stage setting. Certain procedures can only be carried out during term time; this could potentially impact on the timescales needed for an investigation into a complaint.

Scope of policy: with the exception of a child protection issue or where the Head of Foundation permanently excludes or asks a pupil to leave and the parents seek a Governors' review of that decision, in respect of which separate procedures apply, any matter about which a parent of a pupil is unhappy and seeks action by the school is a complaint and falls within the scope of this policy.

“Parent/s / You” includes a current or prospective parent or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the school (except where the complaint was raised when the pupil was still registered, which for the avoidance of doubt shall fall within the scope of this policy).

Three stages: this policy describes a three stage procedure:

- Stage 1: informal raising of a concern or difficulty notified orally or in writing to a member of staff
- Stage 2: a formal complaint in writing to the Head of Foundation/Chair of Governors if the complaint is about the Head of Foundation
- Stage 3: a reference to the Complaints Panel

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Head of Foundation.

No child will be adversely impacted in school as a result of a parental complaint being made.

In this policy reference to days means, unless otherwise stated, ordinary days including weekend days and public holidays. Working days refers to days the school is in session.

Stage 1: Concerns and Difficulties

1.1 Concerns: we expect that most concerns, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities; about a timetable clash or some other aspect of the School's systems or equipment; or a billing error.

1.2 Notification: wherever possible, concerns should be raised as soon as possible and made directly to the person most closely involved. This could be the Form Teacher or a subject teacher. If this initial approach does not resolve the matter, then please consult the next senior teacher, such as a Head of Department/Key Stage, Assistant Head Pastoral, Deputy Head or Head of Juniors. Where a Stage 1 complaint is identified as having the potential to escalate to stage 2 the Head of Foundation should be informed at an early stage.

1.2.1 Education issues: if the matter relates to teaching, the curriculum or special educational needs, please speak or write to the Form Teacher, Head of Department (Seniors) Assistant Head Pastoral, Deputy Head or the Head of Juniors as appropriate;

1.2.2 Pastoral care: for concerns relating to matters outside the classroom please contact the Form Tutor, Assistant Head Pastoral or Head of Juniors as appropriate.

1.2.3 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 Assistant Head Pastoral or Head of Juniors.

1.2.4 Financial matters: a query relating to fees or extra charges should be stated in writing to the Business Manager.

1.3 Acknowledgement: we will acknowledge a written notification by email or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but a written record will be made by the relevant member of staff, usually on the child's SchoolBase record.

1.4 **Unresolved concerns:** a concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint to the Head of Foundation which will be dealt with in accordance with Stage 2 below.

Stage 2: Formal Complaint

2.1 **Notification:** an unresolved concern under Stage 1; a complaint which needs investigation; or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details, supporting documentation and your contact details, addressed to the Head of Foundation. Your complaint will be acknowledged normally within two working days during term time, and as soon as practicable in the holidays, indicating the action that is being taken and the likely time scale. Electronic communication will be used unless requested otherwise. If the Head of Foundation is the subject of the complaint (i.e. where the actions or decisions of the Head of Foundation are central to the complaint), the complainant should write to the "Chair of Governors" c/o the school marking the envelope "Private and Confidential".

2.2 **Investigation:** the Head of Foundation may ask a senior member of staff to act as "investigator" and/or may involve one or more Governors. In some circumstances the Head of Foundation may investigate personally. The investigator/s may request additional information from the complainant and others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Head of Foundation who will then notify the complainant in writing of the findings and recommendations of the investigation and any resulting decisions. Written records will be kept of all meetings and interviews held in relation to your complaint. In the case of the Head of Foundation being the subject of the complaint, substitute 'Chair of Governors' for Head of Foundation in the preceding paragraph.

2.3 **Outcome:** the Head of Foundation will endeavour to inform any complainant of the outcome of an investigation and the resolution to the complaint within 28 days from the receipt of the complaint. If there were a reason why longer than this was necessary, you will be informed of this. If the Chair of Governors is dealing with the complaint, they will inform the complainant within the same timeframe as aforementioned.

Stage 3: Reference to the Complaints Panel

PLEASE REFER TO APPENDIX 1 FOR DETAILS OF PANEL PROCEDURE

3.1 **Definition:** A panel hearing is a review of the Stage 2 complaint. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

3.2 **Role:** The Complaints Panel undertakes a full-merits hearing to establish the facts surrounding the complaint.

3.3 Notification: to request a hearing before the Complaints Panel please write to the Clerk to the Governors within seven working days of receipt of the Stage 2 decision. Contact details for the Clerk to the Governors are available on request from the School Office. Your request will only be considered after receipt of a Stage 2 response. Please state in your letter the reasons for your dissatisfaction with the response at Stage 2, whether this relates to the conduct of the investigation and/or the findings and conclusions. The Clerk will normally acknowledge your request in writing within four working days.

Should the complaint be regarding the Clerk of Governors the complainant should write to the 'Chair of Governors' c/o the school marking the envelope 'Private and Confidential'.

3.4 Convening the Panel: the Clerk to the Governors will endeavour to convene the Complaints Panel within ten working days but the Panel will not normally sit during half terms or school holidays. The Panel will normally consist of a minimum of three individuals who were not directly involved in the matters detailed in the complaint. One member of the Panel shall be independent of the management and running of the School. You may ask the Clerk to tell you who has been appointed to sit on the Panel.

3.5 Chair: the hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

3.6 Notice of hearing: as soon as reasonably practicable, the Clerk will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it. The hearing will normally follow the procedure set out in Appendix 1.

3.7 Attendance: you will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend. Legal representation will not normally be appropriate. Copies of any additional documents you wish the Panel to consider should be sent to the Clerk at least five full working days prior to the hearing. If a parent does not exercise the right to attend a panel hearing, the school is still obliged to hold the hearing. The school's arrangements for the panel hearing will be reasonable in order to facilitate the parents exercising the right of attendance.

3.8 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 Clerk will be asked to take a handwritten minute of the proceedings.

3.9 Evidence: the Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity to ask questions and make comments in an appropriate manner. Questions should be clarificatory, and the Chair of the Panel can intervene if they think that any party's questions are inappropriate, or are straying into cross-examination. 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, providing such evidence is submitted at least five full working days prior to the hearing (see 3.3.7 above).

3.10 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 response 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.

3.11 Adjournment: the Chair may, at their discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

3.12 Decision: after due consideration of the matters discussed at the hearing, the Panel shall make findings and recommendations 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. The Panel may make recommendations on these or any other issues to the Head of Foundation or to the Board of Governors as appropriate. The Panel's decision, findings and any recommendations shall be confirmed in writing to you, normally within seven working days. If you do not wish to receive the decision by email, a copy will be given or posted to you. The decisions, including the reasons for them, findings and any recommendations will be made available for inspection by the Governing Body and the Head of Foundation. This information will also be sent to you and, where relevant, any person about whom the complaint has been made.

3.13 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 proceeding shall be made available directly or indirectly to the press or other media.

3.14 A panel hearing does not need to take place if the parent later indicates that they are now satisfied and do not wish to proceed further.

4. Record Keeping and Confidentiality

4.1 A complaints log will be kept of complaints made in writing under the formal part of the procedure and the action taken by the school regardless of whether they are upheld, and of whether they are resolved at Stage 2 or proceed to a panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request. The record of complaints regarding EYFS will be made available to Ofsted on request. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by the Schedule to the Education (Independent School Standards) (England) Regulations, that is where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspection (under section 109 of the 2008 act) or under other legal authority upon request to access the records. In accordance with DfE advice complaints that do not have safeguarding implications will be retained for a minimum of 7 years.

Complaints with a safeguarding angle will be retained for the period as set out in the ISSRs.

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 will be regarded as vexatious and fall outside the scope of this procedure.

Systemic Issues

Where an individual parental complaint highlights an underlying systemic issue this will be considered and addressed by the school's leadership team.

Early Years Provision (EYFS)

Written complaints about the fulfilment of the EYFS regulations should be made to the Head of Foundation. These will be investigated and the complainant notified of the outcome of the investigation within 28 days. If parents are dissatisfied with the response of the school they can make a complaint to either Ofsted or ISI (Independent Schools Inspectorate) if they so wish. The record of complaints will be made available to Ofsted and ISI on request.

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

0300 123 46666

enquiries@ofsted.gov.uk

ISI

Cap House

9-12 Long Lane

London

EC1A 9HA

0207 600 0100

info@isi.net

APPENDIX 1

Procedures to be followed at a hearing of the Complaints Panel

1 Introduction: this will normally be followed by the Complaints Panel and is designed to ensure that all parties have the opportunity to present their views to the Panel.

2 Meeting format: the meeting will take the form of a "round the table" hearing, where the attendees listed below are present in the same room throughout:-

- Panel Members;
- Clerk to the Panel: the Clerk will take notes of the meeting. Any notes produced by the Clerk will not be verbatim and will belong to the Chair. The Chair can authorise the release of the Clerk's notes on condition that they remain confidential;
- the complainant;
- any person that the complainant has brought as a supporter, who is not legally qualified, if agreed in advance by the Chair;

- the people in charge of dealing with the complaint at Stage 2, usually the investigating officer and Head of Foundation;
- any person that the Head of Foundation has brought as a supporter who is not legally qualified, if agreed in advance by the Chair;
- any other appropriate member of staff.

Note: any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

3 [Suggested agenda](#)

3.1 Welcome and introductions by the Chair.

3.2 The Investigating Officer presents:

- The original complaint in writing
- The Investigation Report

3.3 The Complainant, Panel and the Head of Foundation may ask questions of the Investigating Officer for clarification. The Chair of the Panel can intervene if they think that questions are inappropriate or are straying into cross examination.

3.4 The respondent to the complaint, usually the Head of Foundation, presents:

- The response made at Stage 2
- The complainant's stated reasons for dissatisfaction with the response at Stage 2

3.5 The Complainant and Panel may ask questions of the Head of Foundation for clarification.

3.6 The parents are invited to make any further relevant points that they feel will enable the panel to reach a conclusion.

3.7 The Panel and Head of Foundation may ask questions of the parents.

3.8 The Head of Foundation is invited to make any concluding remarks that they feel may support a satisfactory outcome.

3.9 When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chair will bring the hearing to a close.

4 Legal advice

If, during the hearing, parents introduce legal points on which the Panel feel they will need advice, they will consider one of two options:

4.1 The Panel may decide to take a careful note of points made and to consider the advice of the School's lawyers before making their final decision; or

4.2 If the Panel feels that an immediate response is required, they may adjourn the hearing to take telephone advice from the School's lawyers.