



# COMPLAINTS POLICY



## 1. Purpose

Stafford Hall School aims to provide the best possible academic and pastoral support and has long prided itself on the quality of the provision given to its pupils, so the School hopes that complaints will be rare. However, there are occasions where parents/carers do have cause to complain to the School. The procedures outlined in this policy aim to ensure that all complaints made are handled promptly, appropriately, and fairly. This policy applies to current parents/carers and to former parents/carers if the complaint was raised when the student was registered at the school. We make every effort to ensure that any complaint is treated seriously and sensitively; parents/carers can be assured that they will not be penalised in any way for a complaint that is made in good faith.

## 2. What constitutes a complaint?

We shall treat as a complaint any instance where either parent/carer tells us that we have done something wrong, failed to do something that we should have done, or where we have acted unfairly. A complaint may be made about the School as a whole, a specific department or activity, or an individual member of staff. This list is not exhaustive, and we shall treat any expression of dissatisfaction, whether real or perceived, as a complaint. In doing so we hope to see where we may be getting things wrong, with a view to preventing the same problems re-occurring. This procedure relates to complaints other than those relating to whistleblowing; staff grievances and disciplinary procedures; matters likely to warrant a child protection investigation; applications for admissions to the school; and complaints about services provided by third parties using school facilities or premises.

## 3. Who to contact

- If parents/carers have a concern or complaint, they should normally contact the SENDCo or Senior Leader.
- Where the complaint is about the SENDCo or Senior Leader, then the complaint should be made to the Head of Education, as appropriate.
- Where a complaint is against the Head of Education, parents/carers should make their complaint to the Executive Head of School.
- Where a complaint is made against the Executive Head of School, parents/carers should make their complaint to the School Advisory Board (SAB) via the Director of Education, who acts as Secretary to the School Advisory Board (SAB)

## 4. Procedure

The procedure that the School will follow has three distinct stages, each of which will be conducted by a different person to ensure fairness.

The three stages are:

- STAGE 1: Informal resolution
- STAGE 2: Formal resolution
- STAGE 3: Panel hearing.

Our experience is that, in most cases, problems are satisfactorily dealt with at stage 1.

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## **STAGE 1: INFORMAL RESOLUTION**

On receiving a complaint in person, in writing, by email or by telephone, a Senior Leader will make a written record of the concerns raised and the date on which they were received. If the complaint is made in writing or by email, it will normally be acknowledged within 3 working days. In the vast majority of cases we hope that matters will be resolved quickly to the parents'/carers' satisfaction. We shall, in all cases, investigate the matter fairly and appropriately with any relevant staff. We shall do so as quickly as is practicable without compromising the outcome. If the matter is not resolved within 10 working days, or in the event that the School and the parents/carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed to Stage 2, (formal resolution).

## **STAGE 2: FORMAL RESOLUTION**

If a complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head of Education, within 15 days of the conclusion of Stage 1 above. There may be occasions where the seriousness of the matter (which may include significant safeguarding matters) means that a parent/carer may choose to make a direct formal complaint to the Head of School. In all cases it should be made clear that it is a formal complaint, and the COMPLAINTS FORM should accompany any letter or email (see Appendix 1).

The Head of Education, or someone on his/her behalf, will acknowledge receipt of the written complaint within three working days and will decide, after considering the complaint, the appropriate course of action to take. In most cases the Head, or another senior member of staff not so far involved with the complaint, will meet the parents concerned to discuss the matter. This will be within 10 working days of the receipt of the written complaint. If possible, a resolution will be reached at this stage. It may be necessary for the Head or another senior member of staff to carry out further investigation. In this case, once he or she is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of the decision and reasons underpinning it, normally within 20 working days of the receipt of the complaint.

If the complaint is against the Head of Education, the Executive Head of School will call for a full report from the Head of Education and for any relevant documents. The School Executive may also call for a briefing from members of staff, and will, in most cases, speak to or meet with the parents/carers to discuss the matter further. This will be within 10 working days from the receipt of the written complaint (unless there is an unforeseen absence). Once the School Executive is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents/carers will be informed of the decision in writing. The School Executive will give reasons for their decision.

## **TIMESCALES FOR STAGES 1 AND 2**

In all cases, we shall aim to complete the process as soon as is practicable, whilst allowing sufficient time for a thorough investigation to take place. If parents/carers are still not satisfied with the decision, they should proceed to stage 3, the panel hearing.

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## STAGE 3: PANEL HEARING

A panel hearing cannot normally be requested unless Stage 2 of this procedure has been completed. If parents/carers wish to request a panel hearing they should write to the School Executive, Pat Bogle who will then contact the Chair of the SAB. The parents/carers should state the outcome they desire and all of the grounds of the complaint. The panel will not normally accept any new areas of complaint which have not been previously raised during Stages 1 and 2. The matter will then be referred to a complaints panel (THE PANEL) for consideration. A Stage 3 complaint will be acknowledged within three working days and all parties will be kept informed about the arrangements for the convening of the panel.

The panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School (including of its parent/carer and teaching bodies). They will be nominated by the Chair of the SAB. The Executive of the SAB, on behalf of the panel, will acknowledge the complaint and schedule a hearing to take place as soon as practicable, and normally within twenty working days of the parent's/carer's request for a panel hearing.

If the panel deems it necessary, it may require that further details of the complaint or any related matter be supplied in advance of the hearing. Copies of such details shall be supplied to all parties not later than three working days prior to the hearing. The Head of the School will not discuss the case with the panel beforehand.

The parents/carers may attend the hearing and be accompanied to the hearing by the pupil(s) concerned and one other person, if they wish, who may speak on their behalf if they feel unable to express themselves as they would like. This may be a relative, teacher or friend. Legal representation will not be permitted. All will meet with the panel at the same time and the procedure will be run by the Chair of Panel. In the normal course of events, the Head of School will present their statement first and, subject to any questions from the panel, will be followed by the parents' /carer's statement, identifying the factors which form the basis of the complaint. There will be an opportunity for clarification and discussion of the points raised.

If possible, the panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out. The hearing may be adjourned for this purpose. On completion of the hearing the panel will consider all of the facts they consider relevant. They will then make findings and may make recommendations.

**FINDINGS:** the panel may dismiss or uphold the complaint.

**RECOMMENDATIONS:** the panel may make recommendations to the Head of School or the SAB, as appropriate. It is not within the powers of the panel to make any financial award, nor to impose sanctions on staff, students or parents, although they may recommend these actions to the Head of School or the SAB. The panel will write to the parents/carers and Head of School informing them of its decision and the reasons for it; barring any unforeseen absence, this will be within seven working days of the hearing. The decision of the panel will be final. A copy of the panel's findings and any recommendations will be sent by electronic mail or otherwise given to the parents/carer, and, where relevant, any person who may be the subject of the complaint, as well as the Chair of the SAB and the Head of School.

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## RECORD OF COMPLAINTS

Following the resolution of a complaint, the School will keep a written record which will include (a) the nature of the complaint and (b) whether it was resolved at one of the first two stages of this procedure or if it proceeded to a panel hearing, and (c) any action taken by the School as a result of the complaint. Normally the record will contain the following information:

- Date when the issue was raised.
- Name of parent/carer
- Name of student
- Description of the issue
- Records of the investigation (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)
- Action(s) taken by the School as a result of the complaint.

This record is kept securely in the Operation Managers office, and will only be made available, as and when required, to the Secretary of State or an inspection body, in line with the school's obligations under the Education and Skills Act 2008.

## DATA PROTECTION

Correspondence, statements and records relating to individual complaints are normally kept for three years after the resolution of the complaint and will be kept confidential except when the School is required to disclose information by:

- The Secretary of State for Education under paragraph (k) of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2010
- The ISI under Sections 108 and 109 of the Education and Skills Act 2008
- Other legal authority.

Any panel findings and recommendations would also be available for appropriate inspection on the school premises.

## MONITORING AND EVALUATION

The monitoring and evaluation of the effectiveness of this policy and its implementation will be carried out by the Executive Head of School. Stage 1 complaints are kept under on-going review by the Assistant to the Head of Education. The SAB will meet to review the complaints log at least once each year.

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## **APPENDIX 1**

Please complete and return to the Head who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

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# COMPLAINTS POLICY



Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Office use only.**

Date acknowledgment sent:

By whom:

Complaint referred to:

Date:

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