

# Hill House International Junior School



## Complaints Procedure Policy

## 1 Introduction

- 1.1 The School's Complaints Procedure is drafted in accordance with Part 7 of the Education (Independent School Standards) Regulations 2014.
- 1.2 The School's Complaints Procedure applies to complaints from parents of current pupils and to parents of former pupils if the complaint was raised when the pupil was registered at the School .
- 1.3 We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to **working days**, we mean Monday to Friday, when School is open during term time. The dates of terms are published on the School's website.

## 2 Management of complaints

- 2.1 The School's Complaints Procedure has three stages:
  - 2.1.1 **Stage 1:** informal raising of a complaint with a member of staff orally or in writing - further details of this procedure are set out in Appendix 1.
  - 2.1.2 **Stage 2:** a formal complaint in writing to the Head - further details of this procedure are set out in Appendix 2.
  - 2.1.3 **Stage 3:** reference to the Complaints Panel - further details of this procedure are set out in Appendix 3.
- 2.2 Separate procedures apply in the event of a child protection issue, or if the Head expels or requires the removal of a pupil from the School and the parents seek a review of that decision.

## 3 Record keeping and confidentiality

- 3.1 A written record will be kept of all formal complaints, and of whether they were resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld). The number of formal complaints registered during the preceding school year will be supplied to parents on request.
- 3.2 Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where access is requested by the Secretary of State; where disclosure is required in the course of the school's inspection; or when any other legal obligation prevails.
- 3.3 A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted on request.
- 3.4 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

**4 Complaints to Ofsted**

- 4.1 Parents have the right to contact Ofsted if they have a complaint that has not concluded to their satisfaction through the School's procedure. Such parents can report their concerns to Ofsted on 0300 123 4666.
- 4.2 It is expected that complaints made under this Complaints Procedure will go through the School's Complaints Procedure before Ofsted is contacted.

<b>Authorised by</b>	Resolution of the Proprietors
<b>Signed on behalf of the Proprietors</b>	William Townend .....
<b>Date</b>	<b>7<sup>th</sup> March 2017</b>

<b>Effective date of the policy</b>	<b>7<sup>th</sup> March 2017</b>
<b>Review date of the policy</b>	<b>7<sup>th</sup> March 2018</b>

## Appendix 1 Stage 1: Informal Resolution

- 1 It is hoped that most complaints and concerns will be resolved quickly and informally. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at **Stage 2** without action at **Stage 1**.
- 2 If parents have a complaint they should normally contact their child's Senior Tutor. In many cases the matter will be resolved by this means to the parents' satisfaction. If the Senior Tutor cannot resolve this matter alone, it may be necessary for him/her to consult a Head of House or the Head.
- 3 Complaints made directly to a Head of House or the Head will usually be referred to the relevant Senior Tutor unless they deem it appropriate to deal with the matter personally.
- 4 An informal complaint provided in writing will be acknowledged by telephone, e-mail or letter within two working days of receipt during term time and as soon as practicable during the holidays.
- 5 Should the matter not be resolved within two weeks, or in the event that the member of staff and the parent fail to reach a satisfactory resolution, the parents will be advised to proceed with their complaint in accordance with a formal Stage 2 complaint using the procedure set out in Appendix 2.

## Appendix 2 Stage 2: Formal Resolution

- 1 If the complaint cannot be resolved on an informal basis under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, the complaint should be made under Stage 2.
- 2 The parents should put their complaint in writing, and send it together with all relevant documents and full contact details to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take and will acknowledge receipt within 3 working days, indicating the action that is being taken and the likely time scale.
- 3 The Head will ask a senior member of staff to act as Investigator. The Investigator may request additional information from the parents and may wish to speak to the parents personally and to others who have knowledge of the circumstances. If the Investigator needs to meet or speak to the parents he or she will do so as soon as possible. The Investigator will prepare a report on the investigation which will be considered by the Head.
- 4 The Head and the Investigator will keep written records of all meetings and interviews held in relation to the complaint.
- 5 Once the Head is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing within 10 working days from the receipt of the formal complaint. The Headmaster will also give a reason for his decision.
- 6 Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and be informed of the new timescale as soon as possible.
- 7 **Early Years Foundation Stage:** Parents of pupils in the EYFS setting (Small School) will be notified of the outcome of the investigation within 28 days of the complaint being received.
- 8 If parents are still not satisfied they should proceed to Stage 3 of this Procedure as set out in Appendix 3.

## **Appendix 3 Stage 3: Complaints Panel Hearings**

### **1 Introduction**

- 1.1 A Complaints Panel Hearing (**Hearing**) is a review of the decisions taken at Stage 2 by the Head. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

### **2 How to request a Hearing**

- 2.1 If parents need to invoke Stage 3 (following a failure to reach an earlier resolution), they must put a request in writing to an Independent Adjudicator, appointed by the Proprietors to call Hearings of the Complaints Panel. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed.
- 2.2 The written request should include:
- (a) a copy of all relevant documents and full contact details;
  - (b) details of all the grounds of the complaint and the outcome desired;
  - (c) a list of the documents which the parents believe to be in the School's possession and wish the Complaints Panel to see; and
  - (d) whether the parents propose to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.4 below).
- 2.3 If assistance with the request is required, for example because of a disability, the parents should inform the Independent Adjudicator of this, and he /she will be happy to make appropriate arrangements.
- 2.4 The Independent Adjudicator, on behalf of the Panel, will acknowledge the request for a Hearing within 2 working days of receipt during term time and as soon as practicable during the holidays, and schedule a Hearing to take place as soon as possible and normally within 10 working days. However, parents should note that the Panel will not normally sit during half terms or school holidays.

### **3 Planning the Hearing**

- 3.1 The Independent Adjudicator will then refer the matter to the Complaints Panel for consideration. As soon as reasonably practicable, and in any event at least 5 working days before the Hearing, the Independent Adjudicator will send written notification to each party of the date, time and place of the Hearing.
- 3.2 The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the governance, management and running of the School. Each of the Panel members shall be appointed by the Head. The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.
- 3.3 The Independent Adjudicator will circulate a copy of the bundle of documents to be considered by the Complaints Panel, including any further particulars of the complaint or any other related matter which the Panel may deem necessary, not later than 3 working days prior to the Hearing.

- 3.4 The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. The Hearing is not legal proceedings and so legal representation will not normally be appropriate. If the parents did not inform the Independent Adjudicator of their intention to be accompanied by a legally qualified person, and subsequently wish to be accompanied by a legally qualified person, they must inform the Independent Adjudicator of this at least 5 working days prior to the Hearing and the parents should note that the Panel will wish to speak to the parents directly. This person 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.

#### **4 The Hearing**

- 4.1 The Hearing will be conducted in an informal manner.
- 4.2 The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.
- 4.3 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. A clerk appointed by the Complaints Panel will take a handwritten minute of the proceedings.
- 4.4 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 decision 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.
- 4.5 If possible, the Panel will resolve the parent's complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. This may include an adjournment to take legal advice.
- 4.6 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.
- 4.7 When the Chair of the Panel considers that all the issues have been sufficiently discussed, he / she will conclude the Hearing.

#### **5 The decision**

- 5.1 After due consideration of all facts that they consider relevant, the Panel will reach a decision on a balance of probabilities, unless there is an agreed position. The Panel may make recommendations, which it shall complete within 5 working days of the Hearing. The decision of the Panel will be final. The decision, findings and any recommendations will be confirmed in writing to the parents, the Head, the Governors and, where relevant, the person complained of.
- 5.2 The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.

