



Beachborough School

Complaints Policy and Procedure

Policy Lead: The Head

Date of Last Review: September 2021

Date of next Review: September 2022

Reviewed by: The Chair of Governors

Introduction

Beachborough School prides itself on the quality of teaching and pastoral care it provides to its pupils. However, if parents have a complaint about any aspect of the school, it will be dealt with in accordance with this policy.

Policy Aim: The aim of this policy is to ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice; it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances. We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our school culture. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his or her opportunities at this school.

Policy Status: the policy has been approved by the Head and the Governing Body of Beachborough School (the "School"). It provides guidelines for handling concerns and complaints in both 'day' and 'boarding'. It takes account of Part 7 paragraph 33 of the Schedule to the Education (Independent School Standards) Regulations 2014. The procedures set out below must be followed in every case.

Circulation: this policy is addressed to the Senior Leadership Team; to all members of the teaching and pastoral staff, including school medical staff and nursing staff; support staff and, on request, to parents and pupils. This policy is available on the school's website.

Application: separate procedures apply in the event of a child protection issue or if the Head expels or asks a pupil to leave and the parents seek a Governors' Review of that decision. Section 7 on the Parent Contract explains outlines the school's stance on behaviour and discipline.

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.

Management of complaints. The Head, Christian Pritchard, has appointed the school's Deputy Head (Simon Preece), to be responsible for the co-ordination and administration of the Complaints Procedure. If the Complaints Coordinator is unavailable or is the subject of the complaint, his duties will be carried out by the Head, the Bursar or another member of the Senior Leadership Team.

The main responsibilities of the Complaints Coordinator are to:

- be the first point of contact while the matter remains unresolved and to keep records
- co-ordinate the complaints procedures in school
- arrange assistance for parents who require this, for example, because of a disability
- maintain an on-going training programme for all School employees in relation to complaints
- monitor the keeping, confidentiality and storage of records in relation to complaints
- report regularly to the Head with respect to complaints.

1 Stage 1: Informal Resolution of Complaints

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 at this stage. Examples might include a dissatisfaction about some aspect of teaching or pastoral care matter, or about the allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems and procedures, or a billing error.

1.1 **Notification:** please raise your concern initially as follows:

1.1.1 **Teaching and Learning / Pupil Progress** - if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the form or subject teacher.

1.1.2 **Pupil Welfare** - for concerns relating to matters outside the classroom, please speak or write to the form teacher or form tutor.

1.1.3 **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 Head of Boardman (Ms Sharps) or Head of Manor House (Mr Gross)

1.1.4 **Behaviour / Bullying** – a concern regarding behaviour or bullying (please refer to the school's anti-bullying policy) should be raised in the first instance with the class or pastoral tutor or with the Deputy Head – Pupil Welfare (Mr Preece)

1.1.5 **Financial Matters** - a query relating to fees or extras should be stated in writing to the Bursar.

1.1.6 **Boarding** – if the matter relates to boarding provision please follow the Boarders' Complaints Policy which can be found in the Parents' Handbook for Boarding on the website.

1.2 **Acknowledgement:** we will acknowledge a written notification by telephone, e-mail or letter within five working days of receipt during term time and as soon as practicable in the holidays. If the Head or the Chair of Governors are away when a formal complaint is received, we will notify you of this, indicate when they will return and provide a timescale for receipt of their formal response. A matter raised at Stage One will not necessarily receive a reply in writing as oral feedback may be provided, but a Complaint Form will be completed, and a copy sent to the Complaints Coordinator.

1.3 **Unresolved concerns:** a concern which has not been resolved by informal means normally within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage Two below.

Please note – Throughout this policy:

- *When we use the term "working days" we mean Monday to Friday during term time. It may take longer to process complaints received during the last few weeks of term or during holidays due to the availability of staff.*
- *When we refer to notifications or requests in writing, both letter and email are acceptable.*
- *The School will be very happy to arrange assistance if required, through the person coordinating complaints, in the event of any difficulty in submitting any request in writing required by this Policy.*

2 Stage 2: Formal Complaint

- 2.1 If the complaint cannot be resolved on an informal basis as described in Stage 1, or if it has not been resolved within 15 working days, then the parents should put their complaint in writing to the Head. They will decide, after considering the complaint, the appropriate course of action to take. This must be done even where the informal process has been conducted with the Head. If parents require assistance with their request, for example, because of a disability, the School will be happy to make appropriate arrangements
- 2.2 In most cases, the Head will meet with or speak to the parents concerned, normally within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- 2.3 It may be necessary for the Head to carry out further investigations or to ask a senior member of staff to act as Investigator or involve one or more of the Governors. The Investigator may ask for additional information from you and may wish to speak to you personally and to others who may have knowledge of the circumstances including, if appropriate, your son or daughter.
- 2.4 Written records of all meetings and interviews held in relation to the complaint will be kept
- 2.5 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 parents will be informed of this decision in writing. The Head will also give reasons for this decision. The Head's aim will be to inform any complainant of the outcome of an investigation and the resolution of the complaint with 28 working days from the first receipt of the complaint.
- 2.6 If parents are dissatisfied with the Head's decision under Stage 2 they may proceed to Stage 3 of this Policy.
- 2.7 Complaints about the Head will always be dealt with under the Stage 2 - Formal Resolution process. Parents who wish to make a complaint about the Head should put their complaint in writing to the Chair of Governors. The Chair will decide, after considering the complaint, the appropriate course of action to take.

3 Stage 3: Reference to the Complaints Panel

- 3.1 **Introduction and Scope of the Hearing:** A Complaints Panel (the Panel) hearing is a review of the actions taken by the Head at Stage 2 of this Procedure. The Panel will not consider any new areas of complaint, which have not been previously raised as part of the complaint's procedure. The Panel will not seek to substitute its own judgment for that of the Head where the Head's decision falls within the bounds of what a reasonable Head, acting proportionately, might have decided given all the facts.
- 3.2 **Notification:** If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should write to the Chair of Governors, within five working days of receipt of the Head's decision, requesting a Panel hearing. Parents must state in their letter full details of the complaint, the outcome sought, the grounds on which they wish to appeal against the decision of the Head and enclosing all relevant documents and full contact details. Parents should also include a list of the documents, which they believe to be in the School's possession and wish the Panel to see. The parents' letter will normally be acknowledged by telephone, e-mail or letter within five working days, indicating the action that is being taken and the likely time scale.

- 3.3 **Convening the Panel:** The Chair of Governors will then convene a Complaints Panel to consider the complaint. Please note, a Panel will only be convened if Stage 2 above has been completed. The Panel will consist of at least three members who have not been directly involved in the matters detailed in the complaint. The Panel shall be comprised of School Governor members (one of whom will be the Chair of the Panel) and one Panel member who will be independent of the governance and management of the School. The School has identified persons of standing within the local community, one of whom will sit as the independent member on the Complaints Panel for any given complaint. The Panel hearing will continue unless you formally withdraw your complaint in writing.
- 3.4 **Notice of hearing:** Every effort will be made to enable the Panel hearing to take place within 15 working days of the receipt of your request. As soon as reasonably practical, and in any event at least five working days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.
- 3.5 **Attendance:** You will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. Legal representation is not necessary or normally appropriate but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the School at least seven working days before the hearing. Copies of additional documents you wish the Panel to consider should be sent to the Panel Chair at least three clear working days prior to the hearing. If you choose not to attend, the Panel may hear your complaint and may reach a finding and conclude the matter in your absence.
- 3.6 **The Role of the Panel:** The role of the Panel is to establish the facts surrounding the complaint by considering:
- the documents provided by both parties
 - any representations made by you, the Head or other members of staff
- 3.7 **Powers of the Panel:** 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 findings and recommendations on these or any other issues to the Head or to the full body of School Governors as appropriate.
- 3.8 **Hearing:** All statements made at the hearing will be unsworn and all present will be entitled to make their own notes. The Panel Chair will arrange for a person to take handwritten minutes of the proceedings.
- 3.9 **Evidence:** The Chair will conduct the hearing in such a way as to ensure that all present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel is under no obligation to hear witnesses but may do so if it wishes.
- 3.10 **Conduct:** All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the Chair may terminate or adjourn the hearing. If terminated, the original decision will stand. Any person who is dissatisfied with the conduct of the hearing must say so before the hearing proceeds further and his /her comment will be recorded.
- 3.11 **Adjournment:** If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. However, the Chair may adjourn the hearing at his/her discretion for further investigation of any relevant issue including taking legal advice.

- 3.12 **Decision:** After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. If, after establishing the facts, the Panel members consider that the complaint is made out, they will uphold the complaint. If they consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within ten working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be made available for inspection on the School premises by the Governing Body and the Head. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the Chair of Governors, the Head and, where relevant, any person about whom the complaint has been made.
- 3.13 **Private proceeding:** Any hearing before the Complaints Panel is a private proceeding and no records or oral statements about any matter discussed in or arising from the proceedings shall be made directly or indirectly available to the press or other media.
- 3.14 **Records and Confidentiality:** A written record will be kept of all formal complaints and of whether they are resolved at Stage 2 or proceed to a panel hearing. The record will also include details of action taken by the school, regardless of whether or not the complaint was upheld. Details on how to request the number of complaints registered under the formal procedure (Stage 2 or beyond) during the preceding year will be made available on the school's website. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 33(k) of Schedule 1 to the Education (Independent School Standards) Regulations (SI 2014/3283), that is where access is requested by the Secretary of State or where disclosure is required in the course of an inspection conducted by a body under Section 109 of the Education and Skills Act 2008, or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each school inspection. In appropriate circumstances, some details will be retained for a further period as necessary.
- 3.15 **Early Years Foundation Stage (EYFS):** Parents can make a complaint directly to the Independent Schools Inspectorate (ISI) although it is expected that complaints will go through the School's complaints procedure first. Details of how to contact ISI are given at the end of this procedure,

Complaints Record: The School received two formal complaints during the 2020/2021 academic year, both were successfully concluded at Stage Two. There were no complaints at Stage Three.

Contact with Ofsted and the Independent Schools Inspectorate:

The School is inspected by ISI, an independent organisation which reports to the Government on schools. Parents of children in the Nursery 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 08456 404040 or they can write to the regional office at: Ofsted – Midlands Building C, Cumberland Place, Park Row, Nottingham, NG1 6HJ

All other parents have the right to contact the Independent Schools Inspectorate (ISI) if they have a complaint that has not concluded to their satisfaction through the School's complaints procedure. ISI can be contacted on 020 7600 0100, or at the following address: Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London, EC1A 9HA Telephone: 020 7600 0100

Beachborough School – Sample Complaints Form:

This example form is to be completed by any member of staff who receives a complaint or who wishes to make a complaint. It should be passed to the Complaints Coordinator and kept securely on file.

What is the nature of the complaint? (Please tick)	
<input type="checkbox"/> Staff conduct	<input type="checkbox"/> Parental conduct
<input type="checkbox"/> Teaching standards	<input type="checkbox"/> Pastoral care
<input type="checkbox"/> Condition of premises	<input type="checkbox"/> Boarding
<input type="checkbox"/> Matters of regime and routine	<input type="checkbox"/> Access to or regulation of co- curricular activities
<input type="checkbox"/> Other (please give details)	
Please give details of your complaint	
Date/s of incident	Time/s
If you are complaining about someone's behaviour, please give the names of any witnesses to the incident/s	
Action taken	
Name	Position