

# PERROTT HILL COMPLAINTS POLICY



The School is required under the Education (Independent School Standards) Regulations 2014 to adopt, make available, and apply a complaints procedure.

As of January 2015, any matter about which a parent of a pupil is unhappy and seeks action by the School is now considered a 'complaint' within the framework of the Regulatory Requirements for Independent Schools. Those resolved within Stage 1 below are considered 'informal complaints' by the School; those raised to Stages 2 and/or 3 are considered 'formal complaints'.

This policy concerns complaints from **parents, pupils and others who are not members of staff**.

The policy does not cover complaints from members of staff as these are covered by the School's grievance and disputes procedures.

There were two formal complaints in the 2016-17 academic year.

**This policy is written with the inclusion of the Early Years Foundation Stage (standard E412) and boarding (standard B541).**

The address for ISI, which must be included in this complaints policy with reference to the EYFS is as follows:

Independent Schools Inspectorate  
CAP House  
9 - 12 Long Lane  
London  
EC1A 9HA  
020 7600 0100  
[info@isi.net](mailto:info@isi.net)

The telephone number for OFSTED is 0300 123 1231

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## Types of Complaints:

The majority of complaints received by the School fall into the following categories:

- **financial and administrative and breach of contract**
- **academic** (course programme, unsatisfactory teaching, too much/too little prep, progress in a particular subject etc)
- **pastoral care** (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child, accommodation etc)
- **child protection** (allegations against staff, handling of sensitive issues)

## **Those with Responsibility:**

### **Governing Body: for**

- adopting the policy, procedures, and guidelines
- receiving reports and findings from the panel
- receiving reports from the Head; advising the Head.

The Governing Body will monitor the level and nature of complaints and review the outcomes regularly. The Governing Body will also monitor the School's response to complaints and any panel recommendations.

(The Governing Body could delegate some or all of these responsibilities to a committee or one of their number e.g. the Chair)

### **Chair of the Governing Body:**

- for appointing a panel of at least three people, none of whom were directly involved in the matters detailed in the complaint, and at least one of whom is independent of the management and running of the School (usually a governor) to hear complaints from complainants not satisfied with the School's response.
- for receiving any child protection issues that implicate the Head
- for receiving any formal complaints that implicate the Head

### **Chair of the Independent Panel (an appropriate governor):**

To ensure that:

- the parties understand the procedure
- the issues are addressed
- key findings of fact are established
- complainants are put at ease
- the panel is open-minded and acts independently
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material is seen by all parties
- findings are communicated to the parent and school within three days of the hearing

### **Clerk to the Governing Body (Bursar)**

The Clerk must act as the reference point for the complainant when the complainant has not been satisfied with the School's response or when the complainant is formally implicating the Head.

The Clerk must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings

- notify the parties of the decision

In the event of the School's complaints procedure being fully exhausted, the Clerk must:

- notify parents in writing that the School cannot settle the complaint and will signpost them towards a certified Alternative Dispute Resolution (ADR) provider stating whether or not the School intends to use ADR in that particular instance.

**Head:** for

- the overall internal management of the procedures
- for ensuring that there is both an informal and formal procedure
- for ensuring that the written policy and procedures are available to parents and pupils on request
- for hearing complaints at the second stage
- for ensuring that the procedures are monitored and reviewed and regular reports made to the Governing Body.

**Deputy Heads:** for

- the efficient operation and management of the policy and procedures
- training staff on how to deal appropriately with complaints
- keeping parents, pupils and others informed of the procedure
- compiling reports for the Head as required.

**Bursar:** for administrative, environmental and financial queries and complaints

**Heads of Department/Subject:** for dealing with, and where possible resolving, concerns/complaints relating to their department/subject at stage 1 of the procedures.

**Form Tutors:** for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care. Heads of Section are available to provide assistance as may prove helpful in such situations.

**Designated Safeguarding Lead / Assistant Safeguarding Lead:** for receiving any child protection issues that do not implicate the Head.

**All staff:** for

- hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff
- informing the relevant staff of the concerns
- passing any complaints received from other people who are not parents or pupils to the Deputy Heads.

## Procedures

Parental and Pupil complaint forms can be obtained via:

- School Office
- Head
- Form Tutor
- Housemaster/Housemistress
- School Nurse
- the School's website

Complainants may wish to contact Independent Schools Inspectorate (details above) or the Somerset Designated Officer (for any matter relating to child protection, tel: 0300 123 2224, [www.somersetsafeguardingchildrenboard.org.uk](http://www.somersetsafeguardingchildrenboard.org.uk)) for advice on how to register a complaint.

### **General:**

There are three possible stages.

#### Stage 1 Informal Resolution

Concerns/informal complaints expressed by parents or pupils to any member of staff should be dealt with by that member of staff if he/she is able to do so. If the member of staff considers the issue to be beyond his/her capacity to respond, the concern/informal complaint should be passed to the Pastoral Deputy Head or Academic Deputy Head, Head of Section, Form Tutor or Housemaster/Housemistress as is most appropriate to the concerns/informal complaints.

Concerns/informal complaints which come to a member of staff from other sources should be passed immediately to the Pastoral Deputy Head or Academic Deputy Head who will inform the complainant of the action he/she proposes to take.

#### Stage 2 Formal Procedure

Complaint formalised in writing through the appropriate form, heard by Head / Pastoral Deputy Head or Academic Deputy Head

#### Stage 3 Independent Panel Hearing

Complaint heard by the independent panel appointed by the Governing Body.

**NB** By having the above stages in place, it is hoped that matters may be speedily resolved to the complainant's satisfaction. These stages are not, however, prescriptive. i.e. complainants could by-pass these procedures and contact the Governing Body directly, if they feel that is an appropriate course of action.

## Detailed Guidance and Procedures

All staff and governors should be conversant with the procedures.

### STAGE 1 - INFORMAL RESOLUTION

All staff should listen carefully and patiently to parents' and pupils' complaints, recognising that, regardless of what their own feelings might be, it is a matter of great concern to the complainant.

Pupils will not be penalised for making a complaint in good faith.

#### 24 hour service

If the matter is within the capacity of the member of staff to resolve quickly, this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant member of staff, and the relevant person should be informed by the member of staff as soon as possible. The complainant should be told that it is the School's policy to respond to the verbal complaint within 24 hours, even if the issue cannot be entirely resolved in 24 hours.

If a simple verbal concern/informal complaint is made it might be possible to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing or fill in a 'Complaints Form'. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the School staff.

#### Serious complaint by a pupil

If a serious complaint is made by a pupil, the member of staff should immediately inform the Head who will discuss the issue with the relevant members of staff, in order to determine what the course of action should be.

Members of staff receiving a concern/complaint must use the School's 'Complaints Form' to inform the relevant senior member of staff. This does not prevent the member of staff also speaking to the relevant senior colleague about the matter at the earliest opportunity.

If the senior member of staff considers the issue to be serious, he/she should inform the Head via the School's 'Complaints Form' completed by the original member of staff with any of their own supporting notes, and inform the complainant of the action taken. If the complainant is not satisfied with the informal response, he/she should be informed that they must make a formal complaint in writing to the Head.

In any cases of doubt, members of staff should seek the advice of the Pastoral Deputy Head.

Informal resolution should normally take no more than **three** working days. If a longer period is necessary to complete investigations the complainant should be

informed, within three days, of the reasons, and the new date for resolution. In any event, the Head will acknowledge the complaint within 24 hours.

## **STAGE 2 - FORMAL PROCEDURE**

When a written formal complaint is received, the Head will acknowledge this within 24 hours. He must consult the relevant staff, arrange for appropriate investigations and attempt to resolve the issue as soon as possible. The Head must notify the complainant of the outcome of the investigation within a maximum of 28 (term-time) working days. In the event of all or part of what would otherwise be the 28 working day period falling in the School holidays, the Head will seek an outcome of the investigation as soon as is reasonably practicable and will notify the complainant in writing with an explanation if the 28 working day period of time will need to be extended. If a resolution cannot be found, the Head should inform the complainant of their right of appeal to an independent panel.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff the named Designated Safeguarding Lead or the Assistant Safeguarding Lead responsible for child protection should be informed.

## **STAGE 3 - HEARINGS BY AN INDEPENDENT PANEL**

Complainants who are not satisfied by the School's decision at Stage 2 regarding the complaint can request a hearing by an independent panel. This independent panel will consist of at least three members, none of whom were directly involved in the matters detailed in the complaint, and at least one of whom is independent of the management of the School (usually a governor).

The complainant must be advised by the Head to write to the Chair of the Governing Body via the Clerk giving details of the complaint. The Chair must be notified by the Clerk on the day the written complaint for the Chair is received. The Chair will nominate the panel.

The hearing must be held within 10 days of the Chair receiving notice of the complaint from the complainant, via the Clerk.

The complainant must be told of their right to attend the hearing and to be accompanied, and where relevant translations/interpreters must be arranged by the Clerk in consultation with the parties.

The nominated governor/panel will make its own procedures, and will agree these with the Chair, who will report them to the next governing body meeting.

The governor/panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

Careful consideration must be taken when the complainant is a pupil.

The panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The panel can make such findings and recommendations to the Governing Body as it wishes. It must send its report to the Governing Body, the Head, the complainant and (where relevant) the person being complained about, within three working days of the hearing. A copy of the report on findings and recommendations must be available for inspection on the School premises by the Head.

### **Governing Body Action**

The Governing Body, after consultation with the Head, will consider the panel's findings and recommendations and make such decisions as it feels are necessary in the circumstances.

In general the Governing Body will take one or more of the following courses of action:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint
- recommend changes to the School's systems or procedures

The Governing Body's decision is the final response on the matter.

### **Alternative Dispute Resolution**

In July 2013, the Alternative Dispute Resolution (ADR) Directive and the Online Dispute Resolution (ODR) Regulation concerning consumers and service providers was published. As a 'service provider' to the parents' 'consumer', the School is obliged (since July 2015, and in the event of the School complaints procedure being fully exhausted) to signpost parents, in writing, towards a certified Alternative Dispute Resolution (ADR) provider, stating whether or not it (the School) intends to use ADR in that particular instance. The use of such a provider is voluntary on the parts of both the parent and the School.

### **Reporting and Recording:**

In accordance with Part 7 of The Education (Independent School Standards) Regulations 2014, a written record is kept of all complaints that go through Stages 2 and/or 3. In all such cases, it is important the School's 'Complaints Form' is used so that records of all complaints and the action taken can be recorded and traced. Supporting documents should be attached to the form. The record will detail the stages taken in resolving the complaint and any action taken by the School as a result of the complaint (regardless of whether they are upheld).

The School's written record of complaints will identify those relating to the EYFS and those relating to boarding.

The Clerk to the Governing Body will ensure that all correspondence, statements and records pertaining to complaints recorded in writing are kept confidential and secure, except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them. This would include the statutory investigation being carried out by the Independent Inquiry into Child Sexual Abuse.

The Head and Pastoral Deputy Head will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

The Head will report to staff from time to time and to the Governing Body each term on the number and type of complaints received and their outcomes.

A record of complaints reaching stages 2 and /or 3 is kept for a minimum of 3 years. Where complaints may in any way relate to the work of the Independent Inquiry into Child Sexual Abuse, the Head will prescribe that they be retained until such time as the work of the inquiry has ceased.