



Claremont Fan Court School

Policy: Complaints

This policy applies to all areas of the school, including the early years foundation stage.

Introduction

The school has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a concern they can expect it to be treated by the school in accordance with the procedure below.

Complaints are usually resolved informally. The number of complaints registered under the formal complaints procedure in 2020-21 was two.

Responsibilities of the school

Stage 1 – Informal resolution

- It is hoped most complaints and concerns will be resolved quickly and informally.
- If parents have a concern, they should normally contact their child's class teacher/tutor/year head. In many cases the matter will be resolved straight away by this means to the parents' satisfaction. If the class teacher/tutor/year head cannot resolve the matter alone it may be necessary for him/her to consult with the relevant deputy/assistant head of school/pastoral or academic leader
- Concerns made directly to the headmaster/head of school will usually be referred to the relevant member of staff unless it is deemed appropriate for him/her to deal with the matter personally
- The member of staff receiving the concern will make a written record of all concerns and the date on which they were received. Should the matter not be resolved within ten working days (term time) or in the event that the member of staff and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their concern in accordance with stage 2 of this procedure.

Stage 2 – Formal resolution

- If the concern cannot be resolved on an informal basis, then the parents should put their concern in writing to the headmaster who will decide, after considering the concern, the appropriate course of action to take
- In most cases the headmaster will meet/speak to the parents concerned, normally within seven working days (term time) of receiving the concern to discuss the matter. If possible, a resolution will be reached at this stage

- It may be necessary for the headmaster to carry out further investigations. A timescale no longer than fifteen working days, dependent on the nature of the investigation, will be agreed with parents
- The headmaster will keep secure and confidential written correspondence, statements and records of all meetings and interviews held in relation to the concern
- Once the headmaster 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. The headmaster will also give reasons for his decision
- If parents are still not satisfied with the decision, they should proceed to stage 3 of this policy.

Stage 3 – Governors’ appeal panel hearing

The purpose of stage 3 is to resolve any complaint that has not been resolved through the stages 1 and 2. The complaint may not be regarding exclusion. The governors’ appeal panel will hear parents’ (or other complainant) reasons for appealing against a decision by the school, review the decision by the school, and determine whether the decision was properly made having regard to all material facts known at the time.

Stage 1 – Appeal

- Following a decision by the school, parents should write to the chair of governors at the school setting out their reasons for an appeal
- The clerk to the governors will acknowledge receipt of the appeal, by return.

Stage 2 – The Governors’ appeal panel

- The chair of governors will, within ten working days, or as soon as is practicable, appoint a panel to review the decision. All members of the panel must be independent i.e. not directly involved in the matters detailed in the complaint and subsequent investigation by the school
- The panel will include a minimum of two governors and one person independent of the school i.e. not involved in the day to day management and running of the school with the skills and experience to undertake such a review
- DfE guidance states that ‘people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples include serving or retired business people, civil servants, heads and senior members of staff at other schools, people with a legal background and retired members of the police force
- The clerk to the governors will then advise the parents of the date, time and likely composition of the panel together with the format of the meeting and their right to be accompanied by a relative or friend.

Stage 3 – The case review

- The panel's review of the case should be professional and objective in all respects and carried out in accordance with the school's mission and values
- The panel will review the case to ensure the following:
 - that the school's own policy and procedure has been followed
 - that best practice in dealing with investigations with pupils and young people has been followed
 - that all findings of facts have been properly and accurately recorded
 - that inconsistencies have been followed up and noted
 - that all material facts have been identified;
 - that statements are complete, signed and dated
 - that all relevant witnesses have been called.
- The panel will meet with the school staff who carried out the investigation to ask questions and check understanding of the facts
- The panel may have further questions for the pupil and these must be addressed through the pupil's parents
- The panel will normally complete its work within fourteen working days.

Stage 4 – Meeting with parents

- The meeting with parents should take place within seven working days unless there are valid reasons why this is not feasible
- The purpose of the meeting with parents is two-fold; to allow the parents to put their appeal in person; and to allow the panel to ask any further questions it may have. It is very unlikely that the pupil will attend since they have been thoroughly questioned during the original investigation. However, if material facts emerge during the case review, the panel may request that the pupil attends with their parents
- The parents may be accompanied to the appeal meeting by one other person if they wish. This may be a relative or friend. Legal representation will not normally be appropriate
- In the meeting, parents will have the opportunity to make their appeal again in person, if they wish, but will already have made a written appeal to the chair of governors. They can highlight the key points they wish to make and any mitigating factors
- The panel will then be able to ask any further questions
- The meeting should last no longer than one hour.

Stage 5 – Decision

- After due consideration of all facts they consider relevant, the panel will usually reach a decision within 48 hours and may make recommendations which are binding on the school, the pupil and the parents should the pupil return to school
- The panel is independent but should discuss its findings, decision and any recommendations with the chair of governors before a final decision is made

- The panel will then discuss its findings, decision and any recommendations with the school, to explain its reasoning
- The panel may advise their decision first by telephone before following up in writing within 15 school days of the hearing taking place
- The panel's findings and recommendations will be sent in writing to the parents, where relevant the pupil, the school e.g. headmaster or bursar, and the chair of governors and, where relevant, the person complained about
- An action plan will be developed, reviewed and implemented following the panel's conclusions, should the pupil return to the school
- The panel's decision is final.

Complaints against the headmaster and bursar

- Complaints against the headmaster or the bursar should be directed in writing to the chair of governors.

Confidentiality and records

- Parents can be assured that all concerns and complaints are treated seriously and confidentially. Correspondence, statements and records are kept confidential except in so far as is required of the school by paragraph 33 of the Education (Independent Schools Standards) Regulations 2014; where disclosure is required by the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008; or where any other legal obligation prevails
- The record of complaints must state whether the complaint has been resolved following a formal procedure or whether it has proceeded to a panel hearing. It must also give details of the action taken by the school as a result of these complaints, regardless of whether the complaint has been upheld. Details of the complaint will be available for inspection on the school premises by the proprietor and the headmaster
- In accordance with data protection principles, details of individual complaints will be kept for as long as is considered to be reasonably necessary in the circumstances
- The number of complaints registered under the formal procedure in the preceding school year is shown above.

Early Years

- The school will investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint
- Claremont Fan Court School will provide Ofsted, or ISI, on request with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years

- Parents may complain directly to Ofsted or ISI if they believe the school is not meeting the EYFS requirements
- Ofsted may be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk or at Piccadilly Gate, Store Street, Manchester M1 2WD
- ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net or at ISI, CAP House, 9-12 Long Lane, London EC1A 9HA