

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 formal complaints registered during the preceding school year is available from the school on request.

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 head/head of school will usually be referred to the relevant member of staff unless it is deemed appropriate by the head or head of school that they should 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
- If the complaint is against the head, parents should make their complaint directly to the chair of governors, whose contact details are available from the business services team on request.

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 head who will decide, after considering the concern, the appropriate course of action to take. The head may require further information from the parents to help clarify the scope and nature of their concerns. The head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process.
- In most cases the head (or their nominee) will meet with/speak to the parents concerned, normally within seven working days (term time) of receiving the concern to discuss the matter. This may be longer during school holiday periods. If possible, a resolution will be reached at this stage
- It may be necessary for the head (or their nominee) to carry out further investigations. A timescale usually no longer than fifteen working days but dependent on the nature of the investigation, will be agreed with parents.
- The school will keep secure and confidential written records of all correspondence, statements and notes of all meetings and interviews held in relation to the concern
- Once the head (or their nominee) 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 head (or their nominee) will also give reasons for his decision
- Once the head (or their nominee) 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 head (or their nominee) will also give reasons for their decision. In most cases, the head will make their decision and provide the parents with reasons within fifteen working days (term time) of the complaint being put in writing but the timescale may be extended depending on the complexity of the investigation and/or timing of the complaint with regard to school holiday periods.
- If the complaint made is against the head, the complaint should be made to the chair of governors. The chair of governors or their nominee will call for a full report from the head and for all the relevant documents. The chair of governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the chair of governors or their nominee is satisfied that, so far as is practicable, all the relevant facts have been established, the parents will be informed of the decision in writing. The chair of governors or their nominee will give reasons for their decision.
- If parents are still not satisfied with the decision, they should proceed to stage 3 of this policy.

Stage 3 – panel hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so by writing to the clerk to the governors within 5 days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.

- The board of governors will appoint a complaints panel and clerk to the panel, who will call hearings. The complaints panel will then consider the appeal to the complaints. The panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school. One panel member will be appointed to act as chair of the panel. The clerk to the panel, on behalf of the panel, will then acknowledge the complaint within five working days and schedule a hearing to take place within twenty working days if at all possible.
- If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The head shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The panel will decide whether it would be helpful for witnesses to attend. The panel should be provided with the name of anyone accompanying either the parent(s), the head or witness 3 days in advance of the hearing.
- A note-taker will attend the hearing to take notes. This will not be verbatim notes but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the chair. A copy of any comments on the notes will be appended to the notes.
- The remit of the panel shall be at the discretion of the chair of governors and the manner in which the hearing is conducted shall be at the discretion of the panel.
- 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.
- After due consideration of the merits of the complaint and all facts they consider relevant, the panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:
 - dismiss the complaint(s) in whole or in part;
 - uphold the complaint(s) in whole or in part; and
 - make recommendations.
- The panel will write to the parents informing them of its decision and the reasons for it, normally within five working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the panel will be final. A copy of the panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the chair of governors and the head. A copy of the panel's findings and recommendations (if any)

will also be available for inspection on the school premises by the chair of governors and the head

- Any complaint of a decision taken by the head to exclude or require the removal of the pupil under clause 7 of the school's terms and conditions will be governed by this Stage 3 of the school's complaints procedure. In such circumstances, the panel may only uphold the complaint and ask the head to reconsider his decision if they consider, having regard to the process followed by the head, that the head's decision to exclude / require the removal of the pupil was not a reasonable decision for the head to have taken.

Timeframe for dealing with complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible, and the school will take reasonable measures to do so.

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during school holidays it may take longer to resolve a complaint although the school will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to school life or as a consequence of unavoidable staff absence. The school expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this procedure.

Persistent correspondence

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the school as vexatious and outside the scope of this procedure.

Recording complaints and use of personal data

Following resolution of a complaint, the school will keep a written record of all formal complaints, whether they are resolved at the stage 1 (informal stage), the formal stage (Stage 2) or proceed to a panel hearing (stage 3) and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld).

The school processes data in accordance with its privacy notice (copy available on the school website). When dealing with complaints the school (including any panel member appointed under the stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details 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)

- Notes/minutes of the hearing, and
- The panel's written decision

This may include 'special category personal data' (as further detailed in the school's privacy notice but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The school will keep records of formal complaints and complaints panel hearings, as required by regulation. It will do so in accordance with its privacy notice and retention of records policy.

Early years

Parents of EYFS children should follow the three stages of this complaints procedure. If parents remain dissatisfied and their complaint is about the school's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

Claremont Fan Court School will provide ISI/Ofsted, 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 in accordance with its privacy notice and retention of records policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted on 020 7600 0100 or by email: info@isi.net

[ISI, CAP House, 9-12 Long Lane, London EC1A 9HA](#)