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# Complaints Policy

Collingwood School

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## 1. COMPLAINTS POLICY AND PROCEDURE INCLUDING EYFS

### Policy

**1.1** Whilst the School recognises the need for a formal complaints procedure to satisfy the demands of the Children's Act it is felt such a procedure should be seen as but one facet of a much wider procedure relating to communication and the resolution of the problems within the School context to which a common procedure is applicable.

**1.2** Complaints, difficulties or problems will obviously range from the minor grumble to serious complaints involving standards of care, the behaviour of staff, infringements of the rights of the individual or even abuse.

**1.3** The more day-to-day issues can and should be dealt with through conversation with relevant staff member, form teacher, or where necessary with the Assistant Head or Head teacher.

**1.4** More serious complaints or problems, whether they originate from children, parents or staff should be made to a member of the senior management team (Assistant Head or the Head teacher). The person contacted will depend to some extent on the nature and severity of the complaint and also upon the complainant's choice determined by who they feel most at ease speaking to. The serious complaints should be set out in writing (either before or after the initial meeting) and signed by the complainant. The details will then be put on file in the personal file of the individual concerned.

**1.5** Once a complaint or concern has been formally lodged it is the responsibility of the senior member of staff to whom the complaint has been made to:

- Inform the Head teacher at once.
- Investigate fully the factual basis of the complaint or problem.
- Interview other individuals involved to get an overall view of the variety of perceptions, points of view and interpretations which may be influencing the matter.
- Organise a second meeting or conversation with the complainant to discuss the result and findings of the first and this second meeting should be as soon as reasonably possible after the first (only in exceptional circumstances should the delay be greater than a week) and the discussion should be logged and agreed by both parties.
- Children may bring a friend or other independent person with them to either or both meetings above.

**1.6** Any complaints regarding the fulfillment of the EYFS requirements and/or regarding pupils in our EYFS setting will be dealt with within 28 days. By the end of 28 days the complainant will be notified of the outcome of the investigation.

**1.7** If the complaint or problem is of a sufficiently serious nature it may be necessary to bring in an independent person to investigate it. This can be done at the request of the complainant or the senior staff member.



## **Complaints about the Head**

**1.8** The procedure for dealing with a formal complaint about the Head of the School is set out below:

**1.9** The complaint should be put in writing to the Proprietor (via the School Secretary). The written complaint should include a copy of all relevant documents and full contact details and details of all the grounds of the complaint and the outcome desired.

**1.10** The Proprietor (or his representative) will acknowledge the complaint by telephone, email or letter within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will receive a response to the complaint within 15 working days.

**1.11** If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a complaints panel under Stage 3 using the procedure set out below.

## **Procedure**

### **2. Introduction**

Collingwood School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents or pupils do have a concern or complaint, they can expect it to be treated by the School in accordance with this Procedure.

#### **2.1 Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their child's Form Teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for him or her to consult the Head teacher or the Assistant Head teacher.
- Complaints made directly to the Assistant Head or to the Head teacher will usually be referred initially to the relevant Form Teacher unless the Assistant Head or the Head teacher deems it appropriate for him/her to deal with the matter personally.
- The Form Teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 7 days or in the event that the Form Teacher and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.
- At this stage the complainant will be given a copy of the Complaints Policy which is also available on the school website.

#### **2.2 Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head teacher. The Head teacher will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head teacher will meet or speak to the parents concerned, normally within 7 days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head teacher to carry out further investigations.



- The Head teacher will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head teacher 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 teacher will also give reasons for their decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.
- In normal circumstances there will be a resolution within 7 days and the complainant notified within this timeframe. The Head teacher will write to the complainant with the outcome whether that be resolution or moving to stage 3 of the Complaints procedure.

### **2.3 Stage 3 – Complaints Panel Hearing**

- If a parent is dissatisfied with the Stage 2 response to the complaint, the parent can request a complaints panel hearing.
- A complaints panel Hearing (Hearing) is a Hearing to consider those elements of the Stage 2 response to the parent's complaint with which the parent remains dissatisfied. The panel is not obliged to consider any new complaints which have not been previously raised.

### **2.4 How to request a Hearing**

- A request for a Hearing must be put in writing to the Proprietor and will usually only be considered if the procedure at Stage 2 has been completed.

The written request should include:

1. *a copy of all relevant documents and full contact details;*
  2. *details of all the grounds of the complaint and the outcome desired;*
  3. *a list of the documents which the parents believe to be in the School's possession and wish the complaints panel to consider; and*
  4. *whether the parent proposes to be accompanied to the hearing by someone who is legally qualified (see paragraph below).*
- If assistance with the request is required, for example because of a disability, please inform the appointed Clerk (representing the Proprietor) who will be happy to make appropriate arrangements.
  - The appointed Clerk (on behalf of the Proprietor) will acknowledge the request for a Hearing in writing within three working days of receipt.
  - Every effort will be made to enable the Hearing to take place within 14 working days of receipt of the request, where this is reasonably practicable.
  - Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

### **2.5 Planning the Hearing**

- The appointed Clerk will send written notification to each party of the date, time and place of the Hearing.
- Copies of any documents that the parent wishes the complaints panel to consider should be sent to the appointed Clerk to be received at least seven working days prior to the Hearing.
- The appointed Clerk will circulate a copy of the documents to be considered by the complaints panel to all parties at least three working days prior to the Hearing.



- The parent may be accompanied at the Hearing, for example by a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary.
- The parent is required to notify the appointed Clerk if he / she wishes to be accompanied by someone who is legally qualified in his / her initial request for a Hearing. The parent should note that the complaints panel will wish to speak to him / her directly. The legally qualified 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 complaints panel.
- A person will be appointed to take a minute of the Hearing.

## **2.6 Composition of the complaints panel**

- The complaints panel will comprise at least three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one panel member who is independent of the management and running of the School.
- The parent may ask the appointed Clerk to inform them who has been appointed to sit on the complaints panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the panel.
- The complaints panel members will appoint one of themselves to be the Chair of the panel throughout the proceedings.

## **2.7 Role of the complaints panel**

- The role of the complaints panel is to establish the facts surrounding the complaints that have been made by considering:
  1. *the documents provided by both parties; and*
  2. *any representations made by the parties*and to reach a decision, on the balance of probabilities, as to whether or not to uphold each complaint.

## **2.8 The Hearing**

- The Hearing should proceed notwithstanding that the parent may decide not to attend. In these circumstances, the complaints panel should consider the parent's complaint in his / her absence and issue findings on the substance of the complaint.
- During the Hearing, 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.
- All statements made at the Hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.
- All those present during 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. 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.
- The Chair of the panel may, at his / her discretion, adjourn the Hearing if he / she considers it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.



- 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.
- When the Chair of the panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he / she will conclude the Hearing.

## 2.9 Decision

- The complaints panel will make findings about each complaint on the balance of probabilities and may make recommendations.
- It is not within the powers of the complaints panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the complaints panel may make recommendations.
- The complaints panel's findings and any recommendations will be provided in writing to the parents and, where relevant, the person complained about, within five working days of the Hearing. The complaints panel's findings and any recommendations will also be available for inspection on the School premises by the Proprietor and the Head.
- The completion of Stage 3 represents the conclusion of the School's complaints procedure.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

For EYFS a record of complaints is kept for 3 years. The school will provide OFSTED/ISI, upon request, details of complaints.

OFSTED contact details: OFSTED, Piccadilly Gate, Store Street, Manchester M1 2WD

Tel: 0300 123 1231

E: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

ISI contact details: Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA

Tel: 020 7710 9900

E: [info@isi.net](mailto:info@isi.net)

## 3.0 Recording Complaints

Following resolution of a complaint, the school will keep a written record of all formal complaints, whether they are resolved at the formal stage or proceed to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld). At the school's discretion, additional records may be kept which may contain the following information:

- 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 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)

**Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.**

**1.13** For academic year 2018/19 there were three complaints that required Formal Resolution (Stage 2). There were three complaints recorded that were resolved at the initial informal stage

*Reviewed: Leigh Hardie - September 2019*

*Reviewed: Leigh Hardie - October 2019 (following transfer of school to ILG)*

*Next Review: September 2020*