

## COMPLAINTS POLICY including EYFS

### Introduction

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

- a) Complaints are not easy to define and it is therefore important to bear in mind that what may be initially presented as a complaint, is in fact a problem or a concern. It is any matter about which a parent of a pupil is unhappy and seeks action by the school.
- b) Complaints will be investigated speedily, efficiently, full and fairly. All aspects of each complaint will be given due consideration.
- c) The aim of this complaint's procedure is to ensure that a complaint is fully considered and wherever possible, resolved to the satisfaction of the complainant.
- d) It may be that a complaint can be resolved without formally invoking these procedures, particularly where the complaint can be redefined as a problem or concern. This procedure does not replace the good practice of resolving concerns or problems as they arise within the general running of the school.
- e) A written record will be kept of all written complaints and at what stage they were resolved (whether they are resolved at the first formal stage or proceed to a panel hearing - appendix I – complaint template).
- f) This complaints procedure does apply to past pupils **but only if the complaint was initially raised when the pupil was still registered at the school**. It does not cover exclusions, which are dealt with under the Behaviour Policy.

### Stage 1 - Informal resolution – between parent and school staff

- It is hoped that most complaints and concerns will be resolved quickly and **informally**.
- If parents have a complaint, they should normally contact their daughter's class teacher. In many cases, the matter can be resolved straightaway by these means to the parents' satisfaction. If the class teacher cannot resolve the matter alone, it may be necessary for them to consult the head of department (pre-prep, prep, specialists or co-curriculum) or the headteacher.
- Complaints made directly to the headteacher will usually be referred to the relevant class teacher, or head of department, unless the headteacher deems it appropriate for them to deal with the matter personally.
- The class teacher will make a **written record of concerns and complaints and the date on which they were received**.
- The normal timescale for Stage 1 informal complaints will be within **10 school days** if received during the school term, and as soon as practical during holiday periods.
- Should the matter not be resolved or if the class teacher and the parent **fail to reach a satisfactory resolution, then parents may proceed with their complaint in writing in accordance with Stage 2** of this procedure.

### Stage 2 - Formal resolution - headteacher involvement

- Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example by email. **Complaints will usually only progress to the formal stage after first being considered at the preliminary stage** and only then if the complainant intends to escalate a matter to the formal stage.
- The normal period from the lodging of the formal complaint with the headteacher to its final resolution will normally be **within a further 10 school days** if received during the school term, and as soon as practical during holiday periods.
- If the complaint cannot be resolved on an informal basis Stage 1, then the parents should **put their complaint in writing (appendix 1)** to the headteacher, unless the complaint is about the headteacher in which case the procedure set out below will apply. The headteacher will decide, after considering the complaint, the appropriate course of action to take.
- The headteacher and, if necessary, the teacher or head of department, will meet/speak to the parents concerned, normally **within 5 school days** of receiving the complaint, to discuss the matter if received during the school term, and as soon as practical during holiday periods. If possible, a resolution will be reached at this stage.
- It may be necessary for the headteacher to carry out further investigations.
- The headteacher will **keep written records** of all meetings and interviews held in relation to the complaint (appendix 1 – complaint template).
- Once the headteacher is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made, and the parents will be informed of this decision in writing. The headteacher will also give reasons for the decision.
- **If the parents are still not satisfied with the decision, they should proceed to Stage 3** of this procedure.
- **If the complaint is about the headteacher**, parents should put their complaint in writing addressed to the trustees via the Clerk to the Advisory Body at the school. It will then be referred to the trustee of the school who has been appointed by the Advisory Body to deal with such complaints. That trustee will decide, after considering the complaint, the appropriate course of action to take. The trustee may decide that they will deal with the complaint in which case the trustee will follow a similar procedure as is laid down above for a Stage 2 Formal Resolution or the trustee may decide that the complaint should be dealt with at Stage 3 by a panel hearing, in which case, the procedure set out below for a Stage 3 Panel Hearing will be followed. In either case, the trustee will acknowledge receipt of the complaint to the parents normally within 5 school days of receipt of the complaint and will communicate the trustee's decision as to the manner in which the complaint will be dealt with, either as a Stage 2 Formal Resolution or Stage 3 Panel Hearing.
- If the trustee deals with the complaint at Stage 2 and the parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### Stage 3 – A formal hearing by a complaints panel

- If the parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to a trustee of the school who has been appointed by the Advisory Body to call hearings of the complaints panel.
- **The matter will then be referred to a complaints panel for consideration.** The panel will consist of at least three persons not directly involved in the matters detailed in the complaint, **one of whom shall be independent of the management and running of the school. This is likely to be someone who has held a position of responsibility and is used to analysing evidence and putting forward balanced arguments, e.g. serving or retired business people, civil servants, headteachers or senior members of staff at other schools, people with a legal background and retired members of the police force. Each of the panel members shall be appointed by the trustee.** The trustee, on behalf of the panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and **normally within 18 school days of receiving the complaint** if received during the school term, and as soon as practical during holiday periods.
- 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. Copies of such particulars shall be supplied to all parties not later than **5 school days** prior to the hearing.
- **The parents may be accompanied to the hearing by one other person.** This may be a relative or friend. Legal representation will not normally be appropriate.
- If possible, the panel will resolve the parents' complaint immediately without the need for further investigation.
- The panel will be a full-merits hearing of the complaint, not merely a check that process was followed. It will have clear terms of reference, a clear process and a direction to reach a final decision within a specified timescale.
  - Where further investigation is required, the panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the panel will reach a decision and may make findings and/or recommendations, which it shall complete **within 5 school days of the hearing. A copy of the findings and recommendations of the panel will be sent by electronic mail or otherwise given to the complainant and where relevant the person complained about. The panel's findings and recommendations will be available for inspection on the school premises by the proprietor (chair of trustees) and headteacher.**
  - A panel hearing should take place unless the parents later indicate that they are now satisfied and do not wish to proceed further.
  - If a parent does not exercise the right to attend a panel hearing, this does not remove the school's obligation to hold the hearing in conformity with its complaints policy. The school's arrangements for the panel hearing will be reasonable in order to facilitate the parents exercising the right of attendance.

Parents can be assured that all concerns and complaints will be treated seriously, confidentially (except where disclosure is necessary in the course of the investigation) and with respect. Knowledge of it will be limited to those directly involved and the headteacher.



## COMPLAINTS POLICY including EYFS

### Record Keeping

Logs will be maintained by staff of written complaints requiring action by the School. These will be monitored by heads of department. Logs of written Stage 2 complaints and all Stage 3 complaints will be kept by the school with a note of the action taken and the outcome. 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 108 or 109 of the Children and Young Persons Act 2008 requests access to them; or where any other legal obligation prevails.

From September 2020, a record of formal complaints which do not have a safeguarding implication will be retained for a minimum of 7 years. Prior to September 2020, this was 3 year retention period. Where there is a safeguarding angle, records must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.

All written complaints about the fulfillment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaint will be made available to Ofsted and ISI on request. Parents of an EYFS pupil may also make a complaint to Ofsted, Royal Exchange Buildings, St Ann's Square, Manchester, M2 7LA and/or ISI should they so wish.

A summary of Stage 2 and Stage 3 complaints is reported termly to the Advisory Body.

Written records will be recorded and kept regardless of whether the complaint is upheld.

### 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 will be regarded as vexatious and outside the scope of the complaints policy.

### Additional Notes

The headteacher will provide Ofsted and ISI, on request, a written record of all complaints made during the course of an academic year together with the action which was taken as a result of each complaint.

The parents may also contact Ofsted directly if they wish on 0300 123 4234 or by email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Parents may contact ISI if they wish on 0207 600 0100 or by email [concerns@isi.net](mailto:concerns@isi.net)

It is school policy that complaints made by parents should not rebound adversely on the children.

This policy is made available to parents on the School website and on request.

Number of formal complaints during academic year 2019 – 2020: 1

This is a public policy which is published on the school website and is reviewed annually by the Advisory Body.

Last reviewed November 2020. Next review November 2021.

**Appendix 1 – Stage 2 formal complaint template**

<b>Date:</b>	
<b>Name of investigator:</b>	
<b>Pupil / Parent name:</b>	
<b>Class and teacher:</b>	
<b>Complaint:</b>	
<b>Other people involved:</b>	
<b>Interviews / Recounts of those involved:</b>	
<b>Recount pupil:</b>	
<b>Recount pupil:</b>	
<b>Recount staff:</b>	
<b>Prior relevant history / facts:</b>	
<b>Conclusion by investigating member of staff:</b>	
<b>Further outcome / actions / notes (include date and name):</b>	
<b>Report to parent:</b>	