

Policy on the Handling of Concerns and Complaints

Introduction

- 1. Circulation:** This policy is addressed to the Leadership and Senior Management Teams; to all members of the teaching and pastoral staff, including school medical staff, nursing staff and staff in the Early Years Foundation Stage; and, on request to parents, prospective parents and pupils.
- 2. Policy Status:** The policy has been approved by the Head and the Governing Body of Gateways School. It provides guidelines for handling concerns and complaints. It takes account of Regulation 7 of the *Education (Independent School Standards) (England) Regulations 2003*. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time.
- 3. Application:** Separate procedures apply in the event of a child protection issue or if the Head expels or asks a pupil to leave and the parents seek a Governors' Review of that decision. The policy applies to the Early Years Foundation Stage.
- 4. "Parent/s"/"You":** includes a current or prospective parent or legal guardian or education guardian, or a pupil aged 16+, and may at our discretion include a parent whose child has recently left the School.
- 5. Four stages:** This policy describes a four stage procedure –

Stage 1 – Informal resolution of a concern or difficulty notified orally or in writing to a member of staff.

Stage 2 – A formal complaint in writing to the Head.

Stage 3 - A renewed complaint in writing to the Chairman of the Governing Body.

Stage 4 – A reference to the Complaints Panel.

Separate procedures apply if a pupil has been expelled or asked to leave or if a child protection issue has arisen.

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Head.

For the Early Years Foundation Stage, parents can make a complaint to Ofsted, and/or ISI, if they so wish. Contact details are –
Ofsted – Royal Exchange Buildings, St Ann’s Square, Manchester M2 7LA.
ISI – CAP House, 9 – 12 Long Lane, London EC1A 9HA.

Policy Aim and Statement

6. **Aim:** The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents’ and pupils’ confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
7. **Policy Statement:** We need to know as **soon as possible** if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our school culture. Parents and pupils should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at this school. The policy however distinguishes between a **concern or difficulty** which can be resolved informally and a **formal complaint** which will require investigation.

Management of complaints

8. **Designated People:** The Head has appointed senior members of staff, Head of Prep, Head of Faculty, Head of Year to be responsible for investigating and resolving complaints. If the Designated Person is unavailable or is the subject of the complaint, his/her duties will be carried out by the Head or another senior member of staff. The main responsibilities of the Designated People are to –
 - 8.1 Be the first point of contact while the matter remains unresolved and keep records.
 - 8.2 Co-ordinate the complaints procedures within their designated area of school.
 - 8.3 Maintain an on-going training programme for all school employees in relation to complaints.
 - 8.4 Monitor the keeping, confidentiality and storage of records in relation to complaints. All correspondence, statements and records relating to individual complaints are to be kept confidential.
 - 8.5 Report regularly to the Head with respect to complaints.

Stage 1 – Concerns & Difficulties

9. **Concerns:** We expect that most concerns, where a parent or pupil seeks

intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.

10. **Notification:** Please raise the concern initially as follows –
 - 10.1 **Education issues** – if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Form Teacher or Head of Department as appropriate.
 - 10.2 **Pastoral care** – for concerns relating to matters outside the classroom, please speak or write to Head of Year or Head of Pastoral Care.
 - 10.3 **Disciplinary matters** – a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it, and, if not resolved, Head of Pastoral Care.
 - 10.4 **Financial matters** – a query relating to fees or extra should be stated in writing to the Business Manager.
11. **Acknowledgement:** We will acknowledge a written notification by telephone, fax, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but a communication slip will be completed, and a copy sent to the Designated People. A complaint will be fully investigated. A speedy resolution will be sought.
12. **Unresolved Concerns:** A concern which has not been resolved by informal means within 15 working days should be notified in writing as a **formal complaint** which will be dealt with in accordance with Stage 2 below.

Stage 2 – Formal Complaint

- 13 **Notification:** An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the **Head** or to the **Designated People**. Your complaint will be acknowledged by telephone or in writing within two working days during term time, indicating the action that is being taken and the likely time scale.
14. **Investigation:** The Head may ask a senior member of staff to act as “investigator” and/or may involve one or more governors. The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Head. You will then be invited to attend a meeting with the Head, (or such person as she may appoint to act in her place) together with any other relevant member of staff. Your complaint will then be fully discussed and a

decision will be reached and communicated to you and confirmed in writing within five working days. Written records will be kept of all meetings and interviews held in relation to your complaint.

- 15 For Early Years Foundation Stage, the outcome of an investigation shall be notified to the complainant within 28 days of having received the complaint.

Stage 3 – Reference to the Chairman

16. **Notification:** If you are dissatisfied with the Head's decision under Stage 2, your complaint may be renewed in writing to the Chairman of the Governing Body. Your letter to the Chairman should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone or in writing within four working days during term time, indicating the action that is being taken and the likely time scale.
17. **Action by the Chairman:** The Chairman will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). The Chairman will consider your complaint and you may be asked to attend a meeting. When the Chairman is satisfied that he has established all the material facts and relevant policies, so far as is practicable, he will notify you in writing of his decision within seven working days.

Stage 4 – Reference to the Complaints Panel

18. **Composition:** We have constituted a Complaints Panel ("Panel") comprising School Governor members and a member who is independent of the governance, management and running of the School.
19. **Notification:** To request a hearing before the Complaints Panel please write to the Company Secretary **within seven working days of the decision complained of**. Your request will only be considered if you have completed the procedures at Stages 1-3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Company Secretary. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Company Secretary a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Company Secretary will acknowledge your request in writing within four working days.
20. **Convening the Panel:** The Company Secretary will convene the Complaints Panel as soon as reasonably practicable but the Panel will not normally sit during half terms or school holidays. The Panel will consist normally of **up to three individuals** who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be an **independent member**. You may ask the Company Secretary to tell you who has been appointed to sit on the Panel. If you have a genuine reason for objecting to one or more members of the Panel then all reasonable efforts

will be made to find alternative members; otherwise, by agreement, the Panel may be reduced to two or one in number.

21. **Notice of Hearing:** As soon as reasonably practicable, the Company Secretary will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.
22. **Attendance:** You may be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the School at least seven days before the hearing. Your child aged 13+ may attend part or all of the hearing at the discretion of the Chairman. Copies of additional documents you wish the Panel to consider should be sent to the Company Secretary at least **three clear days** prior to the hearing.
23. **Chairman:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
24. **Hearing:** All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Chairman may direct that the hearing is tape recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain tapes thereafter. The Company Secretary will be asked to take a handwritten minute of the proceedings in any event.
25. **Evidence:** The Chairman of the panel will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or take written statements into account.
26. **Conduct:** All those attending 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 Chairman. If terminated, the original decision will stand. 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.
27. **Adjournment:** The Chairman may at his/her discretion, adjourn the hearing for further investigation or any relevant issue.
28. **Decision:** After due consideration of the matters discussed at the hearing, the Panel shall reach a Decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within seven working days. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chairman of the Governing Body, the Head and, where relevant, any person about whom the complaint has been made. The decision will be final and binding.

29. **Private Proceeding:** 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 proceedings shall be made available directly or indirectly to the press or other media.
30. **Confidentiality:** Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by Regulation 6(2)(j) of the *Education (Independent School Standards) (England) Regulations 2003* [Pupils with Statements of Special Educational Needs or for whom English is an additional language], or where disclosure is required in the course of a school's inspection or under other legal authority.
31. For the Early Years Foundation Stage, the record of complaints is kept for at least three years.
32. The School shall provide Ofsted (and ISI), on request, with a written record of all complaints made during any specified period, and the action that was taken as a result of each complaint.

This policy and its procedures is whole school and includes out of school care.

By Resolution of the Governing Body:

Mr Martin Shaw
Chairman of Governors

Mrs Yvonne Wilkinson
Headmistress

Date: _____

Date: _____

Circulation:

Governors; Headmistress; Leadership Group; Senior Management Team; all teaching support staff; Parents' Guide, Parents and Pupils on request.

Legal Status:

Complies with *Regulation 7 Education (Independent Schools Standards) (England) Regulations 2003*.

Policy Updated:

November 2009