



**Policy 33A - Complaints Procedure for Parents/Guardians of
Children enrolled at Barrow Hills**

Including EYFS

Review every year

Date	Reviewed by	Date approved SMT	Date approved Governors	Next review date
May 2021	P Oldroyd	30.05.2021	Category 2 Policy for 23.06.21 Court meeting	May 2022 for June 2022 Bridewell Court Meeting
May 2021	P Oldroyd	04.05. 21 22	Category 3 Policy for May22 sub committee meeting	May 2023 for June 2023 Bridewell Court Meeting

Contents

1 ~~3~~INTRODUCTION ~~3~~

2 ~~3~~POLICY AIM AND STATEMENT ~~3~~

3 ~~4~~MANAGEMENT OF COMPLAINTS ~~4~~

 Stage 1: Concerns and Difficulties – Informal Resolution 4

 Stage 2: Formal Complaint – Formal Resolution 5

 Stage 3: Reference to the Complaints Panel 5

4 ~~7~~CONFIDENTIALITY ~~7~~

5 ~~7~~FURTHER POINTS OF CONTACT ~~7~~

1 INTRODUCTION

Circulation: this policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff; and, on request, to parents. A copy can be downloaded from the School's website. It is also available from the Head's PA. The School informs parents annually about the number of complaints that have been received each year through this policy which is updated annually. This information is found at the end of this policy.

Policy status: the policy has been approved by the Head and the Governing Body of Barrow Hills School (the School). It provides guidelines for handling concerns and complaints. It takes account of Part 7 of The Education (Independent School Standards) (England) Regulations 2015. The policy applies to all sections of the School. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Some of the procedures can only be carried out during term time.

Application: separate procedures apply in the event of a child protection issue or if the Head expels or asks a child to leave and the parents seek a Governors' Review of that decision.

Related policies: 9A Behaviour including Rewards and Sanctions and 7A & B Safeguarding.

Parent(s)/You: includes a current or prospective parent or legal guardian or education guardian, ~~and may at our discretion include a parent whose child has recently left the School.~~

Three stages:

Stage 1: informal raising 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 reference to the Complaints Panel.

Timescales: We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to "working days" we mean Monday to Friday, when school is open during term time. The dates of terms are published on the School's website.

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.

Any notes that are taken at any stage during an investigation or a formal meeting will only be passed on to a third party at the discretion of the Head or Deputy Head. ~~The identity of the child or others who have given the information will remain confidential wherever possible.~~ Notes on matters of a child protection nature will immediately be passed to the appropriate authorities.

2 POLICY AIM AND STATEMENT

Aim: Barrow Hills School has long prided itself on the quality of the teaching and pastoral care provided to its children; however, we do welcome constructive suggestions and comments from parents and take seriously complaints and concerns which they may raise. 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. 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. The notes that follow describe the policy and show how to use our complaints procedure.

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 would be damaging to relationships and also to our school culture. Parents and children should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a child 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.

3 MANAGEMENT OF COMPLAINTS

Co-ordinator: The Head has appointed the Deputy Head as the Complaints Co-ordinator to be responsible for the co-ordination and administration of the Complaints Procedure. If the Complaints Co-ordinator 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 Complaints Coordinator are to:

- be the first point of contact while the matter remains unresolved;
- keep records, co-ordinate the complaints procedures in school;
- maintain an on-going training programme for all school employees in relation to complaints;
- monitor the keeping, confidentiality and storage of records in relation to complaints.

Any complaints are identified as such and the action taken is noted, regardless of whether the complaint is upheld. The Complaints Coordinator reports regularly to the Head with respect to complaints.

Stage 1: Concerns and Difficulties – Informal Resolution

Concerns: we expect that most concerns, where a parent **or child** 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.

Notification: please raise the concern initially as follows:

- education issues - if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the child's Form Teacher, Head of Department or Subject Specialist teacher as appropriate;
- pastoral care - for concerns relating to matters outside the classroom please speak or write to the Form Teacher, Head of Department or the Deputy Head;
- 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, with the Head of Department, Deputy Head or Director of Teaching and Learning;
- financial matters - a query relating to fees or extras should be stated in writing to the Fees Officer – schoolfees@barrowhills.org

Acknowledgement: we will acknowledge a written notification by telephone, email or letter within 2 working days of receipt during term time and as soon as practicable in the holidays.

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 – Formal Resolution

Notification: an unresolved concern under Stage 1, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration must 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 Deputy Head. Your complaint will be acknowledged by telephone or in writing within two working days during term time ~~and as soon as practicable in the holidays,~~ indicating the action that is being taken and the likely time scale.

EYFS: written complaints relating to the School's fulfilment of the EYFS requirements will be investigated and you will be notified of the outcome of the investigation within 28 days of the School having received the complaint.

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 and any actions taken by the school as a result will be reported to the Head who will then notify you in writing of their decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

Outcome: The Head's aim would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within 28 working days from the receipt of the complaint. Please note that any complaint received within one month of the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

A written record will be kept of action taken by the School as a result of a formal complaint (regardless of whether the complaint is upheld).

Stage 3: Reference to the Complaints Panel

Further Steps: if you are dissatisfied with the Head's decision under Stage 2, your complaint may be reviewed in writing to the Clerk of the Governors who, in consultation with the Chair, will convene a hearing of the Complaints Panel.

A Panel hearing is a review of the decisions taken by the Head. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The role of the Panel: Having considered the documents provided by both parties and any representations made by you, the Head or the Complaints Co-ordinator, the Panel's task is to make finding 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 decision will be made on the balance of probabilities.

~~The Panel's task is to establish the facts surrounding the complaints which have been made by considering the documents provided by both parties and any representations made by you or the Head.~~

~~If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.~~

~~It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, children, or parents. The Panel may make recommendations on these or any other issues to the Head or to the full body of Governors as appropriate.~~

Composition: we would constitute a Complaints Panel (Panel) as required, comprising School Governor members and independent persons who are independent of the governance, management and running of the School. The Panel will consist normally of a minimum of three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel will be an independent member.

Notification: to request a hearing before the Complaints Panel please write to the Clerk to the Governors within 5 working days of the decision complained of. Your request will only be considered if you have completed the procedures at Stages 1 and 2. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk will acknowledge your request in writing within 2 working days. ~~and as soon as practicable in the holidays.~~

Convening the Panel: The Clerk to the Governors will convene the Complaints Panel in consultation with the Chair, as soon as reasonably practicable but the Panel will not normally sit during half terms or school holidays. You may ask the Clerk to tell you who has been appointed to sit on the Panel.

Notice of hearing: every effort will be made to enable the Panel hearing to take place within ~~10-20~~ working days of the receipt of your request. As soon as reasonably practical and in any event, at least 5 working days before the hearing, the Clerk will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.

Attendance: ~~you will be asked to attend the hearing and may be accompanied by one other person if you 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. 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 working days before the hearing. Legal representation will not be appropriate. The hearing is not a legal proceeding and no party is permitted legal representation.~~ Copies of additional documents you wish the Panel to consider should be sent to the Clerk at least three clear working days prior to the hearing.

Chair: the hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

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 Clerk will be asked to take a handwritten minute of the proceedings.

Evidence: The Chair 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 may take written statements into account.

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 Chair. ~~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.

Adjournment: The Chair may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

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, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within 7-14 working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be made available for inspection on the School's premises by the Governing Body and the Head. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chair, the Head and, where relevant, any person about whom the complaint has been made.

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 proceeding shall be made available directly or indirectly to the press or other media.

4 CONFIDENTIALITY

A written record will be kept of all complaints, and of whether they are resolved at Stages 1, 2 or proceed to a panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request.

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 2008 Act requests access to them. In accordance with **GDPR principles** DfE guidance, details of individual complaints will normally be ~~destroyed following each school inspection, retained for a minimum of 7 years. Records concerning allegations of abuse will 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.~~ ~~In exceptional circumstances some details will be retained for a further period as necessary.~~

In the period **1 September 2021 to 29 April 2022** no formal complaints were received at stage 2 or that were referred to a Complaints Panel at Stage 3 level.

5 FURTHER POINTS OF CONTACT

In the early Years Foundation Stage complaints may also be made directly to Ofsted.

Contact details are: Ofsted Early Years, Piccadilly Gate, Store Street, Manchester M1 2WD; general helpline 0300 123 1231 or <https://www.gov.uk/government/organisations/ofsted>

Should you wish to contact ISI (The Independent Schools Inspectorate) their contact details are: Independent Schools Inspectorate, Ground Floor, CAP House, 9 12 Long Lane, London EC1A 9HA; telephone 020 7600 0100 or <http://www.isi.net>

In the Early Years Foundation Stage all complaints and their outcomes will be recorded and kept for three years. On request the School will provide Ofsted and/or ISI a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.