



St Michael's Prep School

Complaints Policy and Procedure including children in the EYFS

Date of Last Review:	July 2018	Review Period:	Annually
Date of Next Review:	July 2019	Owner:	JAI
Type of Policy:	Compliance	Governors' Approval	November 2016

This policy applies to parents of current pupils and is made available to parents on request and on our website and is available to view at school. This policy is reviewed annually.

1. Introduction

At St Michael's Prep School we very much hope that there will be nothing you should wish to complain about. However, if parents do have a complaint, they can expect it to be treated by the school with care and in accordance with this procedure. Complaints will be handled with regard to data protection legislation and have regard for confidentiality.

2. What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the school as a whole, about a specific department or about an individual member of staff or an incident/event. A complaint is likely to arise if a parent believes that the school has done something wrong, or failed to do so something that it should have done or acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The school is here for your child and you can be assured that your child will not be penalised for a complaint that you or your child raises in good faith.

3. The procedure

Stage 1 - Informal Resolution within 10 school days

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact the teacher concerned and raise it directly. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the teacher cannot resolve the matter alone it may be necessary for him/her to consult their line manager. It is expected that a teacher will resolve the issue as soon as practicably possible and in any case no later than 10 school days after the issue is raised. Where staff work part time or are absent through illness we suggest that follow up is directed to the line manager. In the event of a delay beyond 10 school days the parent should be notified of the delay and the reasons for it within 10 school days. The Head's line manager is the Chair of Governors. A complaint about the Head is automatically viewed as stage 2.
- There is a Compliments and Concerns folder in the foyer of each office. The form within this folder may also be used to address a concern directly with the Head of either school, should you prefer.

Stage 2 - Formal Resolution within 20 school days

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet/speak to the parents concerned, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head 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 will also give reasons for the decision.
- We undertake to investigate all complaints and to notify you of the outcome of investigation within 20 school days. We maintain records of complaints for three years after your child has left our school.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.
- If the complaint is about the Head, the Chair of Governors will call for a full report from the Head and for all the relevant documents. The Chair 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 is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair will give reasons for his/her decision.

Stage 3 Review by Chair of Governors (2 + 10 school days)

If you are dissatisfied with the outcome of the formal process above, you may raise the complaint with the Chair of Governors.

You should write to Ms Paula Carter, Chair of Governors at;
pcarter@stmichaels.kent.sch.uk

within 5 working days of receiving the response you deem unsatisfactory and enclose all the relevant details and correspondence. Parents must state the grounds on which they are progressing the complaint and the outcome they seek. For the avoidance of doubt, a disagreement with the decision of the Head is not in itself sufficient grounds for referring the complaint to the chair.

This will be acknowledged within 2 days of receipt and the Chair of Governors will indicate to you the likely timescale of her investigation. Written records will be kept of all meetings and interviews held in relation to your complaint. The Chair may decide to proceed in the same manner as for stage 2 or may trigger a stage 4 panel hearing at her discretion.

The Chair of Governors will aim to conclude and report back within 10 school days of receiving it and if this is not possible will be in touch to explain why. All complaints raised in a holiday will automatically be affected by the likely unavailability of staff.

If the Chair of Governors considers that her prior involvement in any complaint at an earlier stage by virtue of being the Line Manager of the Head means she should not lead a stage 3 investigation, she will either ask another Governor to hear the complaint or refer the complaint directly to a Stage 4 panel hearing.

Stage 4 - Panel Hearing (10 school days + 5 days)*

- If parents seek to invoke Stage 4 (following a failure to reach an earlier resolution) they should write to the Clerk to the Governors who has been appointed by the Governors to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. 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. The Clerk to the Governors on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 school days.
- The Panel will not consider any new areas of complaint which have not been previously raised
- Applications to the Clerk of Governors can only be raised by the Chair or by the parents who are dissatisfied with the Chair of governors' response.
- The parents must state the grounds they are progressing the complaint and the outcome which they seek. A disagreement with the decision of the Chair of Governors does not in itself constitute grounds for progressing the complaint.
- The Panel's task is to establish the facts surrounding the complaint, by considering documents from both parties.

- 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 normally not later than 5 school days prior to the hearing.
- If the parents wish to supply additional documentation for consideration it must be prepared and given to the clerk, 5 days before the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. They will be informed of these arrangements in a letter sent by the Clerk to the Governors. The other person may be a relative, teacher, friend or other trusted person. If a member of the legal profession is in attendance, acting in a professional capacity notification must be given of this 5 school days before the 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.
- 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.
- 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 by the Chair due to the conduct of the complainants, 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.
- 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.
- 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 and will notify parents of the likely timescale.
- After due consideration of all facts they consider relevant, the Panel will make findings and may make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 5 school days of 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 Chairman of governors and the Head.
- It is not within the powers of the panel to make any financial award nor impose any sanctions on staff, pupils or parents. It may however make recommendations.
- Panel findings are available for inspection on the school premises by the proprietor, the headteacher and Inspectorate and are made available to the complainant and where relevant the person complained about

- 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, other media, or any third party.

- Chairman of the Panel & independent member – Mr J Emery JP

4. Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five school days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible: the school's target is to complete the first two stages of the procedure within 20 school days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 4, the Appeal Panel Hearing, will be completed within a further 10 school days, if the appeal is lodged during term-time and as soon as practicable during holiday periods. The decision of the panel will be communicated within 5 school days

All complaints will be kept on file for 3 years.

Role of OFSTED

Parents have the right to contact OFSTED should they have any concerns regarding the welfare of their children. The telephone number for OFSTED is 0300 1231231. However, their website advises parents to contact the DfE.

Role of Other Associations

IAPS

Once the school's complaints procedure has been followed fully, and, if you feel the procedure has failed to address your complaint, you may if you wish be in touch with IAPS. Please write to David Hanson, Chief Executive of IAPS at 11 Waterloo Place, Leamington Spa CV32 5LA. The Chief Executive will take the matter up with the school.

ISI

You can also raise concerns by writing to the Independent Schools Inspectorate, which is responsible for the inspection of IAPS schools. If you wished to take this step, you can contact them at ISI, CAP House, 9-12 Long Lane, London EC1A 9HA, or to info@isi.net. ISI can only assess whether a school is adequately following a complaints procedure, and cannot become involved in individual cases or investigate disputes about fees or complaints about pupils no longer at the school.

Concerns may be copied by ISI to the Department for Education (DfE). Depending on the nature of the complaint, DfE may instruct ISI to visit the school.

DfE

You can also contact the DfE directly as the authority responsible for the registration of independent schools. You should contact the DfE's independent schools team on 0370 000 2288 or send an e-mail to registration.enquiries@education.gov.uk

The address to write to is;

Department for Education
Independent Education and Schools Safeguarding Division
Level 3
Bishopsgate House
Feethams
Darlington
DL1 5QE

5. Recording Complaints

The school will keep a written record of all formal complaints and whether they are resolved at Stage 2 or 3 or proceed to a panel hearing. The school will also record actions it takes as a result of those complaints, whether or not they are 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 to the extent required by paragraph (k) of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2010, by the Secretary of State or where disclosure is required by the ISI under Section 162A of the Education Act 2002 (as amended), or under other legal authority. Panel findings are available for inspection on the school premises by the proprietor, the headteacher and the Inspectorate.

6. Vexatious Complaints

Each complaint brought to the attention of the school will be properly and thoroughly investigated in accordance with our complaints procedure as laid out in this policy; However, should a complainant remain dissatisfied and try to reopen the same issue, the chair of the

Governing Body will submit, in writing, that the procedure has been exhausted and that the matter is closed. Further correspondence will be recognised as vexatious and there will be no obligation on the part of the school to respond.

7. Number of complaints

In 2017-18 the school received 3 formal complaints. All were upheld and apologies given.

8. Policy Review

JAI CHG Feb 2015

Updated log and details regarding raising complaints to outside bodies July 2015 JAI

Updated with formal complaints July 2016 JAI

Revised, following ISI consultancy October 2016-January 2017 JAI and PAC + Governors

Annual update with complaints received. 2018 JAI