



# COMPLAINTS PROCEDURE

## APPLIES TO THE WHOLE SCHOOL

### Legal Status:

- This policy incorporates the manner in which complaints are to be managed in accordance with Part 7, paragraph 33 (a) to (k) inclusive, along with the provision of information being made available in Part 6 Paragraph 32 (3) (f) of The Education (Independent School Standards) (England) Regulations currently in force.

### Applies to:

- the whole school including the Early Years Foundation Stage (EYFS), out of school care, the breakfast club, the afterschool clubs, the holiday club and all other activities provided by the school, inclusive of those outside of the normal school hours;
- all staff (teaching and support staff), the proprietor and volunteers working in the school.

### Timescale:

The process of dealing with a complaint in writing from the moment that it is received by the school to resolution will take no more than twenty eight (28) working days, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors.

### Availability:

This procedure, which applies to the whole school, inclusive of the Early Years Foundation Stage, is made available to parents. This procedure is publicly available on the school's website. On request a copy may be obtained from the school's office.

### Monitoring and Review:

Action by the Headmaster:

- The Headmaster logs all complaints (formal and informal) received by the school and records at which stage and how they were resolved. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint. The logging of complaints for management purposes enables patterns of concern to be monitored.
- The Headmaster monitors the complaints procedure, to ensure that all complaints are handled properly, taking into account any local or national decisions that affect the complaints process, and making any modifications necessary to this procedure. The Proprietor also retains details of the number of complaints, registered under the formal procedure during the preceding school year.
- The Proprietor undertakes a formal annual review of these procedures for the purpose of monitoring and of the efficiency with which the related duties have been discharged, at least annually, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed:

Mr Adam Greenwood  
Headmaster

Mr Robert Higgins  
Proprietor

Date reviewed:

29.08.2019

Date of next review:

29.08.2020



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## APPLIES TO THE WHOLE SCHOOL

The Pointer School prides itself on the quality of the teaching and pastoral care provided to all of its pupils. However, if parents do have a complaint, they can expect it to be treated by The Pointer School in accordance with this Procedure. It is the aim of this procedure to resolve complaints either to the parent's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils. We aim to be open about the decisions we make and the actions we take and will always explain our rationale. Those who have complaints should feel these can be voiced and that they will be taken seriously. A complaint is likely to arise when there are issues of physical or emotional well-being and security at stake, or when the school's stated aims or values are being ignored. A breach of the law will always constitute a complaint. At every stage of the procedure, the handling of the complaint will be swift (using the agreed time frame), fair and necessarily confidential. Throughout the process, The Pointer School will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate.

This procedure provides for a written record to be kept of all complaints that are and whether they are resolved following an informal or formal procedure, or proceed to a panel hearing and action taken by the school as a result of these complaints regardless of whether they are upheld and provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the secretary of state or a body conducting an inspection under section 108 or 109 of the 2008 Act requests them.

### **The Complaints Process**

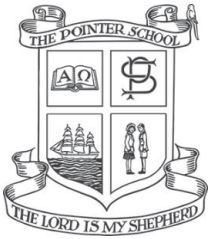
#### **Stage 1 – Informal Resolution**

It is hoped that most complaints and concerns will be resolved quickly and informally. Our ideal is that no concern should ever become a formal complaint, as through open dialogue, a resolution should always be accomplished.

- Any person with a complaint should normally raise it in person with the member of staff/individual concerned.
- The member of staff/individual involved will make a written record of all concerns and complaints and the date on which they were received. If the member of staff/individual cannot resolve the matter alone, it may be necessary to consult with colleagues.
- Should the matter not be resolved within seven (7) working term days, or in the event that The Pointer School and the parents fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

#### **Stage 2 – Formal Procedure**

If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing using the *Parental Complaint Form* (attached as an appendix to this document and available from the school office), with any relevant documents, to the Headmaster who will decide, after considering the complaint, the appropriate course of action to take.



# COMPLAINTS PROCEDURE

## APPLIES TO THE WHOLE SCHOOL

- In most cases, the Headmaster will either meet or speak to the parents concerned, normally within seven (7) working term days of receiving the complaint at Stage 2, to discuss the matter. Ideally this would take place on the day that the complaint is received. The Headmaster will establish what has happened so far and who has been involved; clarify the nature of the complaint and what remains unresolved and what the parents feels would resolve the issue. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headmaster to carry out further investigations that may delay a resolution. The Headmaster may ask the Deputy Head to act as investigator.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing within twenty (20) working term days of receiving the complaint at Stage 2, if possible. The Headmaster will give reasons for the decision. A written record will also be kept of when a final outcome was reached. At this point an apology, explanation, or clarification of a misunderstanding may be appropriate, along with an explanation of the steps that have been undertaken to ensure that it will not be repeated.
- Where a parent is not satisfied with the response made to the complaint made then the parent (or parents) will be advised to proceed with their complaint in accordance with Stage 3 of this Procedure.

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

If the parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), or due to the nature of the complaint, that they do not wish to follow Stages 1 and 2 of this procedure, they will be referred to the Convenor, who will be appointed by the Proprietor 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, one of whom shall be independent of the management and running of the school. This person will be selected upon notification that a parent wishes to move to Stage 3. They will not be in any way directly involved with the school- they will not be a current or previous parent, a current or previous member of staff, or in any way connected with the management of the school. The Panel Convenor, on behalf of the Panel, will then acknowledge the complaint within five (5) working days and schedule a hearing to take place within fifteen (15) school days of the receipt of the referral. If the complainant or Headmaster wishes to submit information in writing to the Panel this should be sent to the Panel Convenor at least five (5) days before the date of the hearing.
- 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 five (5) working days prior to the hearing.
- The Complainant may attend the Panel hearing though they are not required to; the school will hold a Panel even if the Complainant does not wish to attend.



# COMPLAINTS PROCEDURE

## APPLIES TO THE WHOLE SCHOOL

- The Complainant may be accompanied to the panel hearing if they wish. Legal representation is not usually appropriate at the Panel; however, this does not mean that the complainant's right to attend a Panel is forfeit if they have initiated legal proceedings.
- After due consideration of all facts they consider relevant (a full merits hearing), the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within five (5) working days of the Hearing.
- The panel may decide to dismiss the complaint in whole or in part, or uphold the complaint in whole or in part. It may also decide on an appropriate action to be taken to resolve the complaint or recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not re-occur.
- A copy of the Panel's findings, and/or any recommendation and the reasons for them-will be sent by electronic mail or otherwise given to the complainant, the Headmaster/ Proprietor and the company secretary, and where relevant, the person complained about, and available for inspection on the school premises by the Proprietor/Headmaster.
- The complainants will have the right of appeal to Ofsted or the Independent Schools Inspectorate (ISI), whose contact details are given at the end of this policy.

As far as possible, the timescales should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come be resolved as quickly as possible, especially if the complainant will already have been engaged over a longer period in attempts to put things right.

### **Complaints from Staff**

The Pointer School encourages staff to inform us of their concerns while they are still minor ones, which can more easily be resolved. It is hoped that most concerns and complaints, will be resolved quickly and informally.

- All staff who have any complaint or cause for concern should speak to their line manager in the first instance. If this is not appropriate they should bring the matter to the attention of one of the Senior Leadership Team.
- A written record will be kept of all significant concerns and major complaints, the date on which they were received and the details of the subsequent investigation.
- All complaints will be investigated within fourteen days and a formal letter will always be written as 'closure', indicating how the issue has been dealt with and what the outcome is.
- When a member of staff is dissatisfied with the outcome and has discussed this with the Headmaster, the matter should be referred to the other Proprietor. In the case of an employment grievance, the procedure is outlined in the staff handbook.

The number of formal complaints, received in an academic year, is made available to parents including being published on the school website.

### **Record Keeping and Confidentiality**



# COMPLAINTS PROCEDURE

## APPLIES TO THE WHOLE SCHOOL

Parents and Guardians can be assured that all complaints will be treated seriously and confidentially. This procedure provides for a written record to be kept of all complaints that are made for at least three years, whether they are resolved following an informal or formal procedure, or proceed to a panel hearing and action taken by the school as a result of these complaints, regardless of whether they are upheld. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint. A written record will also be kept of when a final outcome was reached. The Proprietor examines this written record on an annual basis. This procedure also provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests them. The school will provide, on request to Ofsted, a written record of all complaints made during a specified period and the action which was taken as a result of each complaint. Parents may contact the Head Teacher to ask for the number of formal complaints made during the previous academic year.

### **Child Protection**

For any complaint that involves a potential child protection issue, this must be reported immediately to the Headmaster (See our Child Protection Policy for details of the procedure).

### **Early Years Foundation Stage**

If a parent has a complaint about the fulfilment of the EYFS requirements, this must be investigated, and the complainant must be notified of the outcome within 28 days.

### **External complaints**

In addition to the Complaints Procedure detailed above, parents of children in the Early Years Foundation Stage (EYFS) may also make a complaint to Ofsted should they wish to, the relevant contact details are:

- Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD.  
Telephone: General Helpline 03001231231                      Textphone number 0161 618 8524  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)                      Web: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Additionally, where parents are not satisfied with the outcomes of the school's complaints procedure, they can raise concerns by writing to the Independent Schools Inspectorate whose details are:

- ISI, Ground Floor, CAP House, 9-12 Long Lane, London EC1A 9HA,  
Telephone: 02076 000100 or to [concerns@isi.net](mailto:concerns@isi.net).



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APPLIES TO THE WHOLE SCHOOL

## APPENDIX – PARENTAL COMPLAINTS FORM FOR FORMAL COMPLAINTS (Stage 2 or higher)

<b>Parent Name:</b>	<b>Date of Complaint:</b>
<b>Pupil Name:</b>	<b>Class:</b>
<b>Parent Contact email:</b>	Please specify any documents that you are attaching in support of your complaint:
<b>Nature of complaint:</b>	
<b>What would you like to happen as a result of making this complaint?</b>	

<b>Signed:</b>	<b>Date:</b>
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