



COMPLAINTS POLICY

Policy reviewed by: Andrew Greenway – Director of Information

Review date: 01/06/2024

Submission: 01/06/2024

Version: v7.2

Policy actioned from: September 2024

Next review date: 01/06/2025

Reviewer's Signature:



Please note: 'School' refers to Chatsworth Schools; 'parents' refers to parents, guardians and carers.

This is a whole school policy, which also applies to the Early Years Foundation Stage.

POLICY AMENDMENT PAGE

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Introduction

The School seeks always to work collaboratively in partnership with parents and carers. In almost all cases, matters of concern will be resolved quickly with the child's key person, class or subject teacher. However, we recognise that, at times, it may not be possible to resolve concerns to the satisfaction of parents simply and quickly through discussion with a teacher and they may wish to pursue matters further in accordance with this procedure. The DfE notes that, with regard to this procedure, there is no distinction between a concern and a complaint, and each should be addressed according to this procedure. Any matter about which a parent is unhappy and seeks action by the school is considered as a complaint and will be managed in accordance with this procedure, attributing a high priority to investigating matters comprehensively and responding to parents in line with published timescales.

This procedure is available to parents of current and registered pupils. The school does not have an obligation to follow this procedure in relation to complaints from parents of former pupils, unless the complaint was initiated before the child left the school.

Timescales

Written complaints about the fulfilment of the EYFS requirements are investigated and the complainant notified of the outcome of the investigation within 28 days. For any other complaint relating to a child in the EYFS and for complaints relating to pupils in Year 1 and older, the school will endeavour to follow the timescales, as published at each stage of the procedure. It is recognised that there may be factors beyond the school's control, or the need for more detailed investigation, which prevent adherence to these timescales. The school aims to keep parents informed about progress in the investigation of any complaint, and the reason for any delays.

Except in the particular case of EYFS requirements, as noted above, timescales relate to working days during term-time. A complaint received during school holidays will, for the purposes of timescales, be considered to have been received on the first working day following the holiday.

Early Years Foundation Stage

Parents of children in the EYFS can, if they wish, complain to Ofsted or ISI if they believe the school is not fulfilling the requirements of the EYFS framework – contact details are found below in **Appendix 2**.

Further General Information

If a pupil is permanently excluded, the school will usually offer Stage 3 of this procedure as a basis for an appeal process, should the parent wish to appeal. For further information, please refer to the Positive Behaviour and Exclusions Policy. Similarly, should a prospective parent wish to appeal against a decision not to offer a child a place at the school, the school may offer Stage 3 of this procedure as a means of managing an appeal. For further information, please refer to the Admissions and Equal Opportunities Policy. In each case, there would not be a requirement to, but the school may choose to, include a panel member who is independent of the management and running of the school.

Where repeated attempts are made by a parent or parents to raise the same complaint after it has been considered at all three stages, or have received answers to all requested outcomes already, this is likely to be regarded as vexatious and falls outside the scope of the policy.

For consistency with regulatory expectations throughout the procedure, a parent making a complaint is referred to as the 'complainant'. This policy is available on the school website or through application to the school.

This policy should be read in conjunction with the following policies:

Positive Behaviour and Exclusions Policy; Grievance and Disciplinary Procedures; Whistleblowing Policy; Violence towards Staff Policy; Staff Code of Conduct; Safeguarding Policy; Admissions and Equal Opportunities (Pupils) Policy; Health and Safety Policy; Risk Assessment Policy; Retention of Records and Information Policy.

The Complaints Procedure

It is expected that, except in the case of complaints where the head can immediately identify that a complaint is of a particularly serious nature and chooses, therefore, to advance it to a later stage of the procedure, all complaints will begin with an investigation at Stage 1 and will progress through the procedure until a resolution has been found or the panel at Stage 3 has published its final decision.

Stage 1 – Informal resolution

We hope that most complaints and concerns will be resolved quickly and informally.

If parents have a complaint they should normally contact their child's key person, class teacher or tutor. In many cases, the matter will be resolved immediately by this means, to the parents' satisfaction. If the key person, class teacher or tutor cannot resolve the matter alone, it may be necessary for them to consult the Head.

Complaints made directly to the Head will usually be referred to the relevant key person, class teacher or tutor unless the Head deems it appropriate to deal with the matter personally.

The key person, class teacher or tutor will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved immediately, receipt of the complaint will be acknowledged within 3 days (during term time). The school will aim to resolve the matter promptly and amicably, normally within 5 working days of receipt of the complaint. In the event that a complainant is not happy with the outcome of a complaint at Stage 1, he or she can request that the school progresses the complaint to Stage 2 of this procedure.

Stage 2 – Formal Resolution

In the event that a complainant is not happy with the outcome of a complaint at Stage 1, he or she should inform the Head, in writing, if he or she wishes the complaint to be considered at Stage 2. This notification should be received by the school within 10 working days of the complainant receiving details of the outcome of the investigation at Stage 1. It should include:

- A summary of the nature of the complaint
- The reasons why the complainant is dissatisfied with the outcome at Stage 1.

A form is included in this policy (which will be issued by the school to complainants) for gathering the necessary data.

The Head will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head will meet with the parents concerned, normally within five working days of receiving the complaint (during term time), to discuss the matter. The head may invite other members of staff, as appropriate, to attend the meeting, which may include someone to take notes of the discussion. If possible, a resolution will be reached at this stage.

It may be necessary for the Head to carry out further investigations. A written record will be kept 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 complainants will be informed of this decision in writing. The Head will also give reasons for the decision.

The school will aim to resolve the matter, normally within 10 working days (during term time) of receipt of the request to progress to Stage 2. In the event that a complainant is not happy with the outcome of a complaint at Stage 2, he or she can request that the school progresses the complaint to Stage 3 of this procedure.

Complaints against the Head

In the event the complaint against the Head progresses to the formal stage, it will be dealt with at Advisory Board level. The complaint can be submitted to the Headteacher or the school office for forwarding, or addressed directly to the Chatsworth Schools Office at the address provided at the foot of this document. Chatsworth Schools will nominate a person of suitable experience and seniority to manage the complaint at this stage. This may be, for example, a Director, a member of Chatsworth Advisory Board or another professional person, such as a recently retired head. The CEO will not normally be directly involved in this stage, in order to permit their participation, should the matter need to progress to a panel hearing.

Stage 3 – Panel Hearing

In the event that a complainant is not happy with the outcome of a complaint at Stage 2, he or she should inform Chatsworth Schools, in writing, if he or she wishes the complaint to be considered at Stage 3, using the address at the foot of this document. This notification should be received by the school within 10 working days of the complainant receiving details of the outcome of the investigation at Stage 2. It should include:

- A summary of the nature of the complaint
- The reasons why the complainant is dissatisfied with the outcome at Stage 2.

Chatsworth Schools will convene a Complaints Panel. The matter will then be referred to the Complaints Panel for consideration. The panel will consist of at least three members, usually including members of the Central Team at Chatsworth Schools, (who will be Directors of Chatsworth Schools), a second representative from Chatsworth Schools and an independent panel member not involved in the management or running of the school. Panel members will not have been previously involved in matters detailed in the complaint. A Head or senior member of staff from another Chatsworth School may be invited to be a panel member, but will not be considered to be fulfilling the role of the independent panel member.

Chatsworth School, on behalf of the panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 15 working days.

If the panel deems it necessary, it may require that further information or particulars of the complaint or any related matter be supplied in advance of the hearing. Documentation to be considered at the hearing shall be supplied to all parties, to the extent that confidentiality and GDPR requirements permit, not later than three days prior to the hearing.

The complainant(s) may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the panel will resolve the complaint immediately without the need for further investigation.

Where further investigation is required, the panel will decide how it should proceed and may request to see additional documentation.

After due consideration of all facts considered relevant, the Panel will reach a decision and may make findings and recommendations, which it shall aim to complete, normally within 15 working days of the hearing. The findings and recommendations of the panel will be provided in writing to the complainant and, where relevant, to the person complained about and made available for inspection on the school premises by the Advisory Board and the Head.

Recording of Complaints and Confidentiality

The school maintains a record in its formal complaints log of all complaints which reach Stage 2 or progress to a panel hearing, including the outcome of each complaint and the stage at which it was concluded. The log also records any action taken by the school as a result of the complaint, regardless of whether it was upheld.

All parties involved in a complaint, including the complainant, the school, witnesses and those conducting an investigation must treat all matters and documentation related to concerns and complaints confidentially. Parents can be assured that correspondence, statements and records related to 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, or where any other legal obligation prevails. A record of all complaints will be made available to Ofsted and/or ISI on request.

Prior to September 2020, a record of complaints was kept for three years. Updated guidance from the DfE now advises that complaints which do not have safeguarding implications should be retained for a minimum of 7 years. Where there is a safeguarding aspect to the complaint, retention will be determined by the prevailing safeguarding requirements in force at the time. For further information, please refer to the Retention of Records and Information Policy.

Appendix 1 – Number of Complaints

The school is required to make available to parents the number of complaints received by the school in the previous school year, which proceeded to Stage 2 or Stage 3. During the academic year 2023-24, the school received 1 complaint in this respect.

Appendix 2 – Inspectorate Contact information

Ofsted

Address: Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

Email: enquiries@ofsted.gov.uk

Telephone: 0300 123 4666

ISI

Address: CAP House, 9-12 Long Lane, London EC1A 9HA

Email: concerns@isi.net

Telephone: 0207 600 0100

Appendix 3 – Data Gathering Form

Benedict House Prep School Complaint Form

Please read the School's Complaints Policy before completing this form. It provides information on when and how this form should be completed.

To be completed by those with **parental responsibility**¹ for a current pupil and returned to the Head via head@benedicthouseprepschool.co.uk or, if the complaint is against the Head, the Chair of The Advisory Board via vtompson@chatsworthschools.com

This Form is designed to assist the school in meeting its obligations under Part 7 of the Education (Independent School Standards) Regulations 2014 (ISS Regulations), which require schools to have in place a complaints procedure that complies with those provisions. In particular, paragraph 33(e) in Part 7 of the ISS Regulations requires that a school's complaints procedure establishes a formal procedure for a complaint to be made in writing where parents are not satisfied with the informal response to the complaint. This formal written stage is usually referred to as Stage 2 and this form is intended to be used at that juncture in the procedure.

PLEASE USE **BLOCK CAPITALS**

Your name(s)	
Name of pupil(s), year(s) and your relationship to them	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	

¹ Parental responsibility is defined in the Children Act 1989 as "*all rights, duties, powers and responsibilities and authority which by law a parent of a child has in relation to the child and his or her property*". It equates to legal responsibility for the child. If you have any doubts about whether you do or do not have parental responsibility for the child you may wish to seek legal advice.

Details of the complaint²
Action taken to date (including staff member(s) who has/have dealt with it so far) and solutions offered
The reason(s) that this was not a satisfactory resolution for you

² Please provide details of the nature of your complaint. If you have more than one ground of complaint we suggest numbering them so that each is considered in turn. If you require more space you may wish to attach an additional page setting out your complaint.

What action(s) would you like to be taken to resolve your complaint?			
Signature(s):			
Date:			
School use			
Stage in the complaints procedure (circle as appropriate): 1 2 3			
Date acknowledgement sent:			
By whom:			
Complaint referred to:			
Action taken:			
Date:			

How we may use personal information

When dealing with complaints the School (including any Panel members appointed under the Stage 3 process) may process a range of information, which is likely to include:

- This completed complaint form
- Date when the issue was raised
- Name of parent(s) and pupil(s)
- Description of the issue
- Records of all the investigations
- Pupil records (as appropriate)
- Witness statements (as appropriate)
- Name and contact details 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)
- Notes/ minutes of meetings including the Panel hearing, and
- The Panel's written decision.

As part of the complaints process we may also process 'special category personal data' (as further detailed in the School's Data Protection Policy, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Data Retention Policy.

Interpretation

In this policy, the term "senior manager" means the School Head and their designated deputies.

This policy applies to all employees in all Schools (save for Schools with their own procedure which shall prevail) and other work environments within Chatsworth Schools.

This policy applies within all companies, which are wholly owned subsidiaries of Chatsworth Schools Ltd, a company registered in England, registered number 11552579.

The registered office of all companies is St Botolph Building, 138 Houndsditch, London, United Kingdom, EC3A 7AR. Any enquiries regarding the application of this policy should be addressed to the COO at the above address.