Complaints Policy and Procedures

Rookwood School

May 2024

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Policy owner (School)	Head

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1 Aims

1.1 This is the complaints policy of Rookwood School (**School**).

1.2 The aims of this policy and related procedures are to provide a framework for the resolution of complaints which:

1.2.1 allows for their resolution informally and sets out the School's formal procedures where this is not achievable;

1.2.2 is easily accessible and publicised, simple to understand and use and impartial and non-adversarial;

1.2.3 enables a full and fair investigation by an independent person where necessary;

1.2.4 respects people's desire for confidentiality;

1.2.5 addresses all the points at issue and provides an effective response and appropriate redress, where necessary, and;

1.2.6 provides information to the School's senior leadership / management team so that services can be improved.

2 Scope and application

2.1 This policy applies to the whole school including the Early Years Foundation Stage (EYFS).

2.2 This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where the parent seeks action by the School.

2.3 This policy does not apply to exclusions, which is covered within the School's behaviour and discipline policy. However, parents of pupils who have been excluded may wish to make a complaint as per this policy.

2.4 This policy applies to complaints from parents of current pupils, ie. those for whom education is being provided at the school. It does not apply to prospective pupils. In the case of former pupils, it does not cover complaints from parents of pupils who have left voluntarily or as a result of being excluded, except where the complaints process was started when the pupil was still being educated at the school.

2.5 Unless required under safeguarding legislation, regardless of whether or not the complaint is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents.

3 Regulatory framework

3.1 This policy has been prepared to meet the School's responsibilities under:

3.1.1 Education (Independent School Standards) Regulations 2014;

3.1.2 Statutory framework for the Early Years Foundation Stage (DfE, December 2023);

3.1.3 Education and Skills Act 2008;

3.1.4 Childcare Act 2006;

3.1.5 Data Protection Act 2018 and General Data Protection Regulation (GDPR);

3.1.6 Equality Act 2010; and

3.1.7 Where a school has boarding pupils, the National Minimum Standards for Boarding Schools, amended 2022.

3.2 This policy should be read alongside the parent contract, terms and conditions and other such documents.

Parent contract

4 Responsibility statement and allocation of tasks

4.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.

4.2 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	**Allocated to**	**When / frequency of review**
Keeping the policy up to date and compliant with the law and best practice	Head	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Head	As required, and at least annually
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Head	As required, and at least annually
Formal review	Proprietor	As required, and at least once every two years

5 Publication and availability

5.1 This policy is published on the School website, and a hard copy is available from the School office on request.

5.2 This policy can be made available in large print or other accessible formats if required.

5.3 Information regarding the number of complaints registered under the formal procedure of this policy (Stage 2 and 3) during the preceding school year is available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate. This information is included at the end of this policy, which is updated annually.

6 Definitions and interpretation

6.1 Where the following words or phrases are used in this policy:

6.1.1 References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, a sensible approach by all parties should be to take reasonable steps so as to minimise any hardship or unfairness arising from such delays.

6.2 Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs.

It is expected that the management of every complaint will progress in line with the timescales detailed in this policy.

The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.

Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the School will notify the parents and inform them of the new timescales without delay.

7 Management of complaints

7.1 The School's policy allows for complaints to be considered at three stages:

Stage 1: Informal raising of a complaint. Further details of this procedure are set out in Appendix 1.

Stage 2: A formal complaint in writing. Further details of this procedure are set out in Appendix 2.

Stage 3: Reference to a complaints panel. Further details of this procedure are set out in Appendix 3.

7.2 Separate procedures apply if the Head permanently excludes or requires the removal of a pupil from the School and the parents seek a review of that decision. The Exclusion policy is available on request.

8 Record keeping and confidentiality

8.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

8.2 The School keeps a written record of all formal complaints, including the following:

8.2.1 whether they were resolved at Stage 2 or Stage 3.

8.2.2 the action taken by the School as a result of the complaints (regardless of whether they are upheld).

8.3 Details of individual complaints will be kept in line with data protection principles and DfE guidance.

8.4 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority or court order.

8.5 A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted and the Independent Schools Inspectorate (ISI) on request.

8.6 The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy.

9 Complaints to Ofsted and the Independent Schools Inspectorate

9.1 Parents of children in the School's Early Years Foundation Stage have the right to contact Ofsted and / or ISI if they believe the School is not meeting the EYFS requirements.

9.2 All complaints pertaining to EYFS will be dealt with within 28 days.

9.3 Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.

9.4 ISI can be contacted at concerns@isi.net or on 020 7600 0100.

10 Anonymous Complaints

10.1 The School will not normally investigate anonymous complaints. However the Head, Chair of the School Advisory Board or Proprietor, as appropriate, will determine whether the complaint warrants an investigation.

11 Time Limit for Bringing a Complaint

11.1 All complainants should notify a complaint as soon as practicable.

11.2 Complaints submitted 3 months after the issue the subject of the complaint (or where there is a series of associated issues the last of these issues) will not be considered unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. In such cases, the person dealing with the complaint in accordance with the procedure set out below shall determine whether the complaint should be considered.

12 Managing Serial and Persistent Complaints or Complaint Campaigns

12.1 The School will do its utmost to be helpful to people who make contact with a complaint, concern or request for information. However, there may be occasions when, despite all stages of the complaints' procedure having been followed, the complainant remains dissatisfied. If a complainant attempts to re-open the same issue, the School will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may then be

viewed as 'serial' or 'persistent' and the School may choose not to respond. However, this will not occur until the complainant has completed the three stages of the complaints' procedure.

12.2 The application of a 'serial or persistent' designation for a complaint will be against the subject of the complaint rather than the complainant themselves.

12.3 In the event of a "complaint campaign" (that is, a complaint from three or more separate individuals (whether or not connected with the School) which all relate to the same or substantially the same issue and are all (or the initial three complaints are) received within a four week period, the School may deviate from the procedure set out in this policy and instead send a template response to all complainants.

13 Version control

Date of adoption of this policy	May 2024
Date of last review of this policy	November 2026
Date for next review of this policy	September 2027
Policy owner (School)	Head

Number of complaints registered under the formal procedure of this policy (Stage 2 and 3) during the preceding school year: 1

Appendix 1 Stage 1 - informal complaint

1 Informal resolution of a complaint

1.1 We expect that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

2 Who to contact

2.1 Where appropriate, complaints should initially be raised as follows:

2.1.1 **educational issues**: if the matter relates to the classroom, the curriculum or special educational needs, please speak or write initially to the class teacher. Your complaint may be passed to a more senior member of staff if appropriate;

2.1.2 **pastoral care**: for complaints relating to matters outside the classroom, please speak or write to the Head;

2.1.3 **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;

2.1.4 **financial matters**: a query relating to fees or extras should be addressed initially to the School. If it cannot be resolved, it should then be addressed to the Finance Office at Inspired Learning Group.

2.2 An informal complaint will be acknowledged by telephone, email or letter within three working days of receipt, indicating the actions and likely timescales that will be taken including appropriate meetings with the parents.

2.3 Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue.

2.4 It is envisaged that the School and parents will reach an amicable solution, within 10 working days.

2.5 If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

3 Complaints about the Head

3.1 The procedure for dealing with an informal complaint about the Head of the School is set out below:

3.1.1 parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1;

3.1.2 the Head will acknowledge informal complaints within three working days and will seek to resolve the matter under this Stage 1 by means of direct

conversation or a meeting with the parents, to be held within 15 working days of the initial complaint;

3.1.3 if the parent is dissatisfied with the Head's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2. This must be sent to the Head in writing.

3.2 Parents may choose to make a complaint against the Head in writing to the Proprietor or Chair of the Advisory Board (details on the School website) In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

Appendix 2 Stage 2 - formal complaint

1 How to make a formal complaint

1.1 Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they intend to escalate a matter to the formal stage.

1.2 The formal complaint must be in writing addressed to the Head of the School and should include:

1.2.1 a copy of all relevant documents and full contact details; and

1.2.2 details of all the grounds of the complaint and the outcome desired.

1.3 After considering the complaint, the Head may appoint a senior member of staff or other appropriate person to conduct this part of the procedure on their behalf.

1.4 The complaint will be acknowledged by telephone, email or letter within three working days, indicating the action that is being taken and the likely timescales.

2 Investigation

2.1 The subject matter of the complaint will be investigated in the most appropriate manner, which may include some or all of the following steps:

2.1.1 delegation of the investigation to an appropriate member of staff;

2.1.2 request for additional information from the parent, including what they think might resolve the issue (if not already requested under Stage 1); and

2.1.3 request for a conversation and / or a meeting with the parent personally and / or others with relevant knowledge of the circumstances.

2.2 Written records will be kept of all meetings and interviews held in relation to the complaint. Where the investigation has been delegated to a senior member of staff, he / she will prepare a report on the investigation which will be considered by the Head. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.

3 Decision

3.1 The Head will notify the parent by email or letter of their Stage 2 decision and the reasons for it within 15 working days from the receipt of the formal complaint.

3.2 If the parent is dissatisfied with the Stage 2 response to the complaint, the parent can request that the complaint be referred to a complaints panel under Stage 3 using the procedure set out in Appendix 3.

3.3 Early Years Foundation Stage (EYFS): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 28 calendar days of the complain being received.

4 Complaints about the Head

4.1 The procedure for dealing with a formal complaint about the Head of the School is set out below:

4.1.1 The complaint should be put in writing to the Proprietor or Chair of the Advisory Board (details on the School website).The written complaint should include a copy of all relevant documents and full contact details and details of all the grounds of the complaint and the outcome desired.

4.1.2 The Proprietor or Chair of the Advisory Board will acknowledge the complaint by telephone, email or letter within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will receive a response to the complaint within 15 working days.

4.1.3 If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a complaints panel under Stage 3 using the procedure set out in Appendix 3.

Appendix 3 Stage 3 - complaints panel

1 Complaints panel hearing

1.1 If a parent is dissatisfied with the Stage 2 response to the complaint, the parent can request a complaints panel hearing within 10 working days.

1.2 A complaints panel Hearing (Hearing) will normally consider those elements of the Stage 2 response to the parent's complaint with which the parent remains dissatisfied. This will be a “full-merits” review of the evidence and not just a procedural check. The panel is not obliged to consider any new complaints which have not been previously raised, though it may choose to do so.

2 How to request a Hearing

2.1 A request for a Hearing must be put in writing to the Proprietor or the Chair of the School Advisory Board, and will usually only be considered if the procedure at Stage 2 has been completed.

2.2 The written request should include:

2.2.1 a copy of all relevant documents and full contact details;

2.2.2 details of all the grounds of the complaint and the outcome desired;

2.2.3 a list of the documents which the parents believe to be in the School's possession and wish the complaints panel to consider; and

2.2.4 whether the parent proposes to be accompanied to the hearing, and if in doing so by someone who is legally qualified (see paragraph 3.5 below).

2.3 If assistance with the request is required, for example because of a disability, please advise so that appropriate arrangements can be made.

2.4 The Proprietor, Chair of the School Advisory Board or appointed Clerk will acknowledge the request for a Hearing in writing within three working days of receipt.

2.5 The Hearing will take place within 20 working days of receipt of the request.

2.6 Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

2.7 In the case that parents fail to attend the Hearing without notice, the panel will proceed and conclude the Hearing on the basis of evidence submitted.

3 Planning the Hearing

3.1 The appointed Clerk will send written notification to each party of the date, time and place of the Hearing at least ten working days before the date of the Hearing.

3.2 Copies of any documents (additional to those specified in 2.2.1 and 2.2.3) that the parent wishes the complaints panel to consider should be sent to the appointed Clerk, to be received at least seven working days prior to the Hearing.

3.3 The appointed Clerk will circulate to the panel a copy of the bundle of documents to be considered at least three working days prior to the Hearing. At their discretion, the Chair of the panel may agree to receive additional evidence outside of this timescale, or at the meeting itself.

3.4 The parent and school representative may be accompanied at the Hearing, for example by a relative or friend. Details of such persons and a statement of the capacity in which they are attending should be provided to the Panel in advance. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary. Parents should note that the right to be accompanied does not confer a right to have legal representation.

3.5 As set out in 2.2.4 above, the parent is required to notify the appointed Clerk if they wish to be accompanied by someone who is legally qualified in their initial request for a Hearing. The parent should note that the complaints panel will wish to speak to them directly. The legally qualified person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the complaints panel.

3.6 A person will be appointed to take minutes of the Hearing.

4 Composition of the complaints panel

4.1 The complaints panel will comprise at least three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one panel member who is independent of the management and running of the School.

4.2 The parent may ask the appointed Clerk to inform them who has been appointed to sit on the complaints panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the panel.

4.3 The complaints panel members will appoint one of themselves to be the Chair of the panel throughout the proceedings.

5 Role of the complaints panel

5.1 The role of the complaints panel is to establish the facts surrounding the complaints that have been made by considering:

5.1.1 the documents provided by both parties; and

5.1.2 any representations made by the parties

and to reach a decision, on the balance of probabilities, as to whether or not to uphold each complaint.

6 The Hearing

6.1 The Hearing should proceed notwithstanding that the parent may decide not to attend. In these circumstances, the complaints panel should consider the parent's complaint in their absence and issue findings on the substance of the complaint.

6.2 During the Hearing, the parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding,

and the complaints panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

6.3 All statements made at the Hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes. It is not permitted to record the Hearing and any parties doing so will be regarded as in breach of trust.

6.4 All those present during 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. 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 their comments will be minuted.

6.5 The Chair may, at their discretion, adjourn the Hearing if they consider it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.

6.6 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.

6.7 When the Chair of the panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the Hearing.

6.8 The Hearing is normally concluded on the basis of evidence presented. In the event that further investigations are required, this shall be noted in the minutes and an indication of timescale given.

7 Decision

7.1 The complaints panel will make findings about each complaint on the balance of probabilities and may make recommendations.

7.2 It is not within the powers of the complaints panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the complaints panel may make recommendations.

7.3 If possible, the Appeal panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Appeal Panel will decide how it should be carried out. This process shall be completed within 10 working days of the Hearing.

7.4 The complaints panel's findings and any recommendations will be provided in writing to the parents and, where relevant, the person complained about, within 15 working days of the Hearing. The complaints panel's findings and any recommendations will also be available for inspection on the School premises by the Proprietor, Head and inspection bodies.

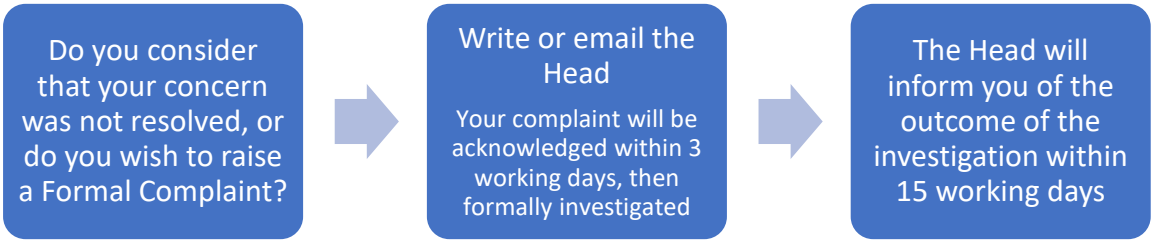
7.5 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

Appendix 4 Flowchart for how to raise a concern or complaint

Stage 1



Stage 2



Stage 3



