

Complaint Procedure

September 2018/19



This policy applies to all pupils in the school, including those in Early Years. Any pupil under the age of 18 will be regarded as a child for the purposes of this policy.

1. Introduction

The majority of concerns from parents, carers and others are handled under the following general procedures. The procedure is divided into three stages. The informal stage aims to resolve the concern through informal contact at the appropriate level in school. Stage two is the first formal stage at which written complaints are considered by the Head Teacher. Stage three is the next stage once stage two has been worked through, involving an appeal panel.

1.1 Raphael School gives high priority to the quality of the teaching and pastoral care provided for pupils. However, if parents do have a complaint it is our intention:

- To deal with complaints promptly
- To resolve a complaint by informal means if at all possible
- To deal with a complaint with sensitivity and to maintain confidentiality at all times
- To be impartial at all times
- To ensure that a thorough investigation is carried out of all matters giving rise to the complaint and to provide appropriate redress, where necessary

1.2 Initial concerns by parents will be taken seriously and parents are encouraged to speak to their child's Tutor as soon as an issue is of concern to them. Staff will try to resolve issues promptly and they will log all complaints received, whether verbal or written. The School will follow the Procedure set out below.

1.3 The School will make available to parents of pupils and prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

1.4 Please note that for the purposes of this procedure "working days" refers to weekdays (Monday to Friday) during term time.

2. What Constitutes a Complaint?

2.1 A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly towards their son.

2.2 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.

2.3 The following are exempt from this complaints policy, because they are covered by separate procedures: matters likely to require a child protection investigation; whistleblowing; staff grievances and disciplinary procedures; and complaints about services provided by other providers who may use school premises or facilities.

3. Stage 1 – Informal Resolution

- 3.1 It is hoped that most concerns will be resolved quickly and informally.
- 3.2 If parents have a concern or complaint they should normally contact their child's Tutor. They may do so in person, by telephone or in writing (such as email). In many cases, the matter will be resolved swiftly, by these means, to the parents' satisfaction. If the Tutor cannot resolve the matter alone, or if the complaint relates to the Tutor, he/she will consult the appropriate Senior Leader.
- 3.3 If the concern or complaint is made in writing, it will be acknowledged by telephone or in writing (such as email) within two working days of receipt during term time and as soon as practicable in the holidays.
- 3.4 A written record of informal complaints will be made and the date on which they were received. Should the matter not be resolved within 10 working days or in the event that an informal resolution has failed to reach a satisfactory resolution then parents will be advised to pursue their complaint formally in accordance with stage 2 of this procedure.

4. Stage 2 – Formal Resolution

- 4.1 If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head Teacher formally. The nature of the complaint must be stated as clearly and precisely as possible, with supporting evidence; it must contain a statement of what actions parents have already taken to resolve the matter; and it must include a statement of what actions parents feel might resolve their complaint. The Head Teacher, or someone on her behalf, will acknowledge receipt of the complaint within 2 working days of receipt. The Head Teacher will either investigate the issues that have been raised or will delegate the investigation to another senior member of staff not so far involved with the complaint.
- 4.2 In most cases, the Head Teacher or the Delegated Person will speak to or meet the parents concerned to discuss the matter within 10 working days of receiving the complaint in writing. If possible, a resolution will be reached at this stage.
- 4.3 It may be necessary for the Head Teacher or the Delegated Person to carry out further investigations and these will begin as soon as possible. This can include interviews with staff, pupils and other relevant people. If the investigation uncovers any concerns relating to safeguarding, then these will be investigated in accordance with the school's safeguarding policy and procedures.
- 4.4 The Head Teacher or the Delegated Person will keep written records of all meetings and interviews held in relation to the complaint.
- 4.5 Once the Head Teacher or the Delegated Person is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing within 28 days of receipt of the complaint by the Head Teacher. The Head Teacher or the Delegated Person will give reasons for his decision. 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.

- 4.6 If the complaint is against the Head Teacher, then the Chair of Directors (or the nominated Director to whom the Chair has delegated the handling of the complaint) will call for a full report from the Head Teacher and for all the relevant documents. The Chair of Directors or nominated Director may also call for a briefing from members of staff, and will in most cases, speak to or meet with parents to discuss the matter further. Once the Chair of Directors or nominated Director is satisfied that, so far as practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Directors or nominated Director will give reasons for his decision.
- 4.7 If parents are still not satisfied with the decision, they should request a panel hearing under stage 3 of this procedure.

5. Stage 3 – Panel Hearing

- 5.1 If (following a failure to reach an earlier resolution under Stage 2) parents wish to request a panel hearing, the request must be made in writing to the Head Teacher, stating the outcome they desire and all the grounds of the complaint. The request will only be considered if the procedures at Stages 1 and 2 have been completed. The parents will be referred to the Office Manager, who has been appointed by the Directors to call hearings of the Complaints Panel. The parents should enclose with their request for a panel hearing copies of any documents they consider to be relevant. Each case will be viewed individually and independently.
- 5.2 The matter will then be referred to the Complaints Panel for consideration. The purpose of this arrangement is to provide parents with the opportunity to present their arguments in front of a panel of Directors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice. The aim of a panel is not, however, to rehear the complaint. Its aim is to review how the complaint has been investigated and to determine whether this has been conducted fairly. Facts will be established and recommendations made which will provide reassurance that the complaint has been taken seriously.
- 5.3 The office Manager, on behalf of the Panel, will acknowledge the request for a panel hearing in writing within two working days of receiving the request and will schedule a hearing to take place within 20 working days of receiving the written request from the parents. 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. The Chairman of Directors will not normally be a member of the panel.
- 5.4 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 3 working days prior to the hearing.
- 5.5 Parents will be invited to the Complaints Panel hearing by letter.

- 5.6 The parents 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 the parents do wish to be accompanied by a legally qualified person, acting in their professional capacity, they must notify the School at least seven working days before the hearing.
- 5.7 After establishing the facts the Complaints Panel may:
- Dismiss the complaint if the Panel considers the complaint is not made out; and
 - Uphold the complaint if the Panel considers that the complaint is made out.
- 5.8 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Panel may make recommendations on these or any other issues to the Head Teacher or the full Board of Directors as appropriate.
- 5.9 If possible, the Complaints Panel will reach a decision without the need for further investigation and will write to parents with its decision within 5 working days of the hearing.
- 5.10 Where further investigation is required, the Complaints Panel will decide how it should be carried out and the hearing will be adjourned. The decision of the Panel will be final.
- 5.11 The Complaint Panel's decision and recommendations, if any, will be sent in writing or electronic mail to the parents, the Head Teacher, the Directors and, where relevant and appropriate, to staff involved and the person complained about and shall be made available for inspection at the School by the Board of Directors and by the Head Teacher.
- 5.12 A formal written record of all complaints will be kept for a period of three years, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by the School as a result of the complaint (regardless of whether the complaint is 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, records of phone conversations and minutes of any meetings)

5.13 Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

5.14 The School's complaints procedure is included in information given to new parents and is publicised on the School's website. A copy of the procedure is also available to view at the School during the school day, in the main office with information regarding the number of complaints made in the preceding academic year. The School will always provide a copy of the complaints procedure to parents or prospective parents on request. Any request should be made to the Head Teacher directly or to the Office Manager.

6. Closure of Complaints

6.1 Very occasionally, the School will feel that it needs to close a complaint where the complainant is still dissatisfied. Despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all of the complainant's wishes and there must be an agreement to disagree.

6.2 If a complainant persists in making representations to the School, then it can be extremely time-consuming and detract from our responsibility to look after all the children in our care. For this reason, the school is entitled to close correspondence (including personal approaches, telephone calls, letters or emails) on a complaint where the School feels it has taken all reasonable action to resolve the complaint and the complaint has exhausted our official process.

6.3 Where a complainant has been through the School's internal complaints procedures and is still unhappy with the outcome or decision, then the DFE School Complaints Unit can be contacted via the DFE website. The DFE advise that unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken.

7. Unreasonable Complaints, and Serial and Persistent Complainants

7.1 The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

7.2 The School defines serial and unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

7.3 A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

7.4 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;

- publishing unacceptable information in a variety of media such as in social media websites and newspapers.
- 7.5 Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, telephone, email or text) as it could delay the outcome being reached.
- 7.6 Whenever possible, the Head Teacher or Chair of Directors will discuss any concerns with the complainant informally before applying an 'unreasonable' judgement. If the behaviour continues the Head Teacher will write to the complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.
- 7.7 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School.

Appendix

1. Relevant Addresses and Phone Numbers

The School's Senior Management Team below are contactable on 01708744735.

Claudette Salmon - Head Teacher
Lisa Skyers - Deputy Head Teacher, DSL & Exams Officer
Chris Ward - Assistant Head Primary
Satwant Bachoo – Assistant Head EYFS
Maggie Howland - Director of Admissions
Anita Hargrove – Office Manager

2. Contacting ISI

The School is inspected by ISI, an independent organisation which reports to the Government on schools. Parents and pupils have the right to contact an inspector if they have a complaint concerning a pupil's welfare. ISI will usually expect parents or pupils to have followed the School's formal complaints procedure before contacting them. However, you can report your concerns to ISI at:

Independent Schools Inspectorate
CAP House
9 - 12 Long Lane
London
EC1A 9HA
Telephone 020 7600 0100
Fax 020 7776 8849
info@isi.net

3. EYFS OFSTED Contact

Ofsted Piccadilly Gate
Store Street
Manchester
M1 2WD
General Helpline 03001231231
Textphone 01616188524

No of Complaints during 2017-2018 = 13

Version control	
Implementation date	September 2018
Signed off by	
Review date	September 2019