



ST BENEDICT'S SCHOOL

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Complaints Policy and Procedure

Authorised by: The Board of Governors of St Benedict's School

Date: November 2023

Signature:

Review Date: November 2024

Circulation: Governors/all staff/volunteers automatically
Parents on request/School Website

Status: Current

Contents

	PAGE
1 Introduction	3
2 Policy aim and statement	3
3 Management of complaints.....	4
4 Stage 1: Concerns and Difficulties.....	5
5 Stage 2: Formal Complaint.....	5
6 Stage 3: Reference to the Complaints Panel.....	6
Appendix 1: Complaints form	9

1 Introduction

This is a regulatory policy – responsibility for the monitoring of the effectiveness and compliance of the policy and its implementation lies with the governors.

This includes:

- Monitoring of the policy and its implementation.
- Reviewing effectiveness.
- Tracking any patterns.
- Evaluating nature of complaints and modifying future practice.

1.1 Circulation:

This policy covers St Benedict's Senior School and St Benedict's Junior School and is addressed to the Leadership Teams; to all members of the teaching and pastoral staff, including school medical staff and nursing staff and to parents and pupils. A copy is available on the School's website.

1.2 Policy status:

The policy has been approved by the Headmaster and the Governing Body of St Benedict's School (the "School"). It provides guidelines for handling concerns and complaints. It takes account of schedule, paragraph 7 of the Education (Independent School Standards) (England) Regulations 2003. Certain procedures can only be carried out during term time.

1.3 Application:

Separate procedures apply in the event of a child protection issue or if the Head permanently excludes or asks a pupil to leave and the parents seek a Governors' Review of that decision.

1.4 Parent/s/You includes a current parent or legal guardian or education guardian and may at our discretion include a parent whose child has recently left the School. This also applies to past pupils if the complaint was raised whilst the pupil was registered.

1.5 Three stages: this policy describes a three-stage procedure:

- Stage 1: informal raising of a concern or difficulty notified orally or in writing to a member of staff.
- Stage 2: a formal complaint in writing to the Headmaster or to the Headmaster of the Junior School.
- Stage 3: a reference to the Complaints Panel.

Separate procedures apply if a pupil has been permanently excluded or asked to leave or if a child protection issue has arisen. A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Headmaster.

2 Policy aim and statement

2.1 Aim:

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

2.2 What is a complaint?

A complaint is any matter about which a parent of a pupil is unhappy and seeks action by the School. The School does not distinguish between “concerns” and “complaints” for the purposes of this policy.

2.2 Policy statement:

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our school culture. Parents and pupils should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at this school. The policy however distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

2.3 Early Years Foundation Stage (EYFS):

Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaints will be made available to Ofsted and the Independent Schools Inspectorate (ISI) on request. Details of how parents can contact Ofsted or ISI if they believe the School is not meeting EYFS requirements are set out at the end of this policy.

3 Management of complaints

3.1 Complaints Coordinator:

The Headmaster has appointed the Deputy Head ("Complaints Coordinator") to be responsible for the coordination and administration of the Complaints Procedure. If the Complaints Coordinator is unavailable or is the subject of the complaint, his/her duties will be carried out by the Head or another senior member of staff.

The main responsibilities of the Complaints Coordinator are to:

- Be the first point of contact while the matter remains unresolved and keep records.
- Coordinate the complaints procedures in school.
- Maintain an on-going training program for all school employees in relation to complaints.
- Monitor the keeping, confidentiality, and storage of records in relation to complaints.
- Report regularly to the Head with respect to complaints.

3.2 Complaints form:

Every complaint notified to a member of staff will be noted, together with the action taken, on a standard form. A sample of this form is attached to this policy in Appendix 1.

3.3 Complaints Records:

The complaints coordinator will review the system annually and can propose changes to the Headmaster and Governing Body. The Governing Body is responsible for changes to the policy and procedures.

- 3.4 Record of Formal Complaints
The number of complaints which went to the formal stage of the process (Stage 2 or Stage 3) in the previous academic year can be requested by current parents from the Headmaster's PA.

4 Stage 1: Concerns and Difficulties

- 4.1 Concerns:
We expect that most concerns, where a parent or pupil seeks intervention, reconsideration, or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.
- 4.2 Notification: please raise the concern initially as follows:
- Education issues - if the matter relates to the classroom, the curriculum or special educational needs please speak or write to the Form Tutor or Head of Department (Head of Key Stage in the Junior School) as appropriate.
 - Pastoral care - for concerns relating to matters outside the classroom, please speak or write to the Form Tutor, or the Division Head (Head of Key Stage in the Junior School)
 - 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, and, if not resolved, with the Form Tutor, Division Head (Head of Key Stage in the Junior School) or Deputy Head.
 - Financial matters - a query relating to fees or extras should be stated in writing to the Bursar.
- 4.3 Acknowledgement:
We will acknowledge a written notification by telephone, fax, e-mail, or letter within two working days of receipt during term time and as soon as practicable, certainly by the start of the next term, in the holidays. A complaint raised orally will not necessarily be acknowledged in writing, but a Complaints Form will be completed and sent to the Complaints Coordinator.
- 4.4 Unresolved concerns: a concern which has not been resolved by informal means within 15 days should be notified by the complainant in writing as a formal complaint, which will be dealt with in accordance with Stage 2 below.

5 Stage 2: Formal Complaint

- 5.1 Notification:
An unresolved concern under Stage 1, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in a letter or email addressed to the Headmaster. If the complaint is about the Headmaster, correspondence should be sent to the Chair of Governors via the Clerk to the Governors (bursar@stbenedicts.org.uk). Your complaint will be acknowledged by telephone or in writing within two working days during term time, indicating the action that is being taken and the likely time scale. A Complaints Form will be completed and sent to the Complaints Coordinator.

5.2 Investigation:

The Headmaster (or the Chair of Governors if the complaint is about the Headmaster) may ask a senior member of staff to act as "investigator". The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. You may request a meeting with the Headmaster (or with the Chairman of Governors if the complaint is about the Headmaster). The outcome of the investigation will be reported to the Headmaster (or to the Chair of Governors if the complaint is about the Headmaster) who will then notify you in writing of his decision and the reasons for it within 10 working days. If the outcome is during the holidays, parents will be notified no later than 5 working days after the start of the next term. Written records will be kept of all meetings and interviews held in relation to the complaint.

5.3 Record:

Written record is kept of all complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing. The record will also include any action taken by the school as a result of the complaint, irrespective of whether these are formal or not. Regardless of outcome, the school will review its systems and practices to see if any amendments / improvements can be made. All 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 access to them.

6 **Stage 3: Reference to the Complaints Panel**

A Panel hearing is a review of the decisions taken by the Headmaster.

If the parent is not satisfied with the School's response to their complaint at Stage 2, they may continue to this stage. This will be a full merits hearing of the complaint, not merely a check that process was followed.

If the parent should later indicate they are now satisfied and do not wish to proceed, the panel should consider the parent's complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.

The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

6.1 The role of the Panel:

The Panel's task is to establish the facts surrounding the complaints that have been made by considering:

- The documents provided by both parties and;
- Any representations made by you, and by the Headmaster. If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities. 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 Headmaster or to the Board of Governors as appropriate.

6.2 Composition:

A Complaints Panel ("Panel") will be constituted on behalf of the Chair of Governors comprising members of the Board of St Benedict's School and one person independent of the

management and running of the School.

6.3 Notification:

To request a hearing before the Complaints Panel please write to the Chair of Governors within seven working days of the Headmaster's decision. Your request will only be considered if you have completed the procedures at Stages 1-2. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Chair. Please state in your letter all the grounds of your complaint and any outcome that you desire. Please also send the Chair a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Chair will acknowledge your request in writing within four working days during term time.

6.4 Convening the Panel:

The Chair of Governors will convene the Complaints Panel as soon as reasonably practicable, but the Panel will not normally sit during half terms or school holidays. The Panel will consist of a minimum of three individuals who were not directly involved in the matters detailed in the complaint. One member of the Panel shall be independent of the management and running of the school. The Chair – or Clerk to the Governors acting on his or her behalf – will tell you who has been appointed to sit on the Panel.

6.5 Notice of hearing:

The Panel will be convened within 15 term time working days of the complaint being asked for review. The panel will not normally meet during school holidays. The Chair will send you written notification of the date, time, and place of the hearing together with brief details of the Panel members who will hear it and a copy of relevant documents in the possession of the School as soon as possible.

6.6 Attendance:

You will be asked to attend the hearing and may be accompanied by another person such as a relative or friend. This provision does not confer a right on a parent to have a legal representative to make representations on their behalf at the hearing and legal representation will not normally be appropriate. The School may however allow legal representation in individual cases at its discretion.

6.7 Chairman of the Panel:

The hearing will be chaired by one member of the Panel (chosen by them) and will be conducted in an informal manner.

6.8 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 to the Governors will be asked to take a handwritten minute of the proceedings in any event.

6.9 Evidence:

The Chairman of the Panel 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 re-hearing of the previous stages nor legal proceedings 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.

- 6.10 Conduct:
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 Chairman of the Panel. If terminated, 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.
- 6.11 Adjournment:
The Chairman of the Panel may at his/her discretion; adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 6.12 Decision:
After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within seven working days. Reasons for the decision will be given. The Decision may include recommendations and will be made available on the school premises. A copy will be sent to you, to the Chairman of the Board of Governors, to the Headmaster and, where relevant, to any person about whom the complaint has been made.
- 6.13 Private proceeding:
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.
- 6.14 Confidentiality:
A written record will be kept of all complaints, and of whether they are resolved at Stage 1 or Stage 2 or proceed to a panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by section 9 of the Schedule to the Education (Independent School Standards) (England) Regulations Act 2008, that is where access is requested by the Secretary of State, or where disclosure is required in the course of a school's inspection or under other legal authority. In accordance with data protection principles (GDPR 2018), details of individual complaints will normally be destroyed following each school inspection. In exceptional circumstances some details will be retained for a further period, as necessary. The file will be available for inspection on the school premises by the Chair of Governors and the Headmaster.
- 6.15 Details for Ofsted and ISI
If parents believe that the School is not meeting EYFS requirements, then they can contact Ofsted or ISI as follows:
- OFSTED: Piccadilly Gate, Stone Street, Manchester, M1 2WD Tel: 0300 11231231
 - ISI: CAP House, 9-12 Long Lane, London, EC1A 9HA. Tel 020 7600 0100 info@isi.net

Appendix 1: Complaints form

Complainant's name		
Pupil's name (if applicable)		
What is the nature of the complaint? (please tick)		
<ul style="list-style-type: none">• Staff conduct• Teaching Standards• Condition of premises• Matters of regime and routine• Other (please give details)	<ul style="list-style-type: none">• Parental Conduct• Pastoral Care• Timetabling• Access to or regulation of extra-curricular activities	
Please give brief details of the complaint		
Date/s of incident	Time/s	
If the reason for the complaint is someone's behaviour, please give the names of any witnesses to the incident/s		
Action taken and how resolved		
Teacher's Name	Position	