



**School Complaints Procedure**  
**September 2020**

**Policy Review**

This policy will be reviewed in full by the Trustee Body on an annual basis.

This policy was last reviewed and agreed in September 2020.

It is due for review in September 2021.

..... Date  
Suzanne Thrower, Headteacher

..... Date  
Lesley Carter, Chair of Trustees

## **Policy Aim and Statement**

This policy sets out the way in which Knightsfield School aims to address concerns and complaints. We recognise that there may be times when a parent, staff member, trustee or other stakeholder wishes to raise a concern or complaint about a particular aspect of the work of the School.

We want to know as soon as possible about such concerns or cause for dissatisfaction so that the issue can be dealt with appropriately and resolved as soon as possible.

For the purposes of this policy a “school day” is defined as a weekday during term time (term dates are published on the School’s website). Complaints received during a school holiday will be acknowledged as soon as practicable, and no later than five school days of the start of the following term.

## **Application**

This complaints policy is informed by The Education (Independent School Standards) Regulations 2014, Best practice guidance for school complaints procedures 2019 published by the Department for Education, our duty under the Equality Act 2010, the Human Rights Act 1998 and the rules of natural justice.

Anyone can make a complaint about any provision of facilities or services provided by the School unless separate statutory procedures apply.

Please note:

- a A parent is defined as any person who has parental responsibility or who has care of the named student. The welfare of the student is our paramount consideration and we will seek permission from the person(s) with parental responsibility before responding to a concern or complaint from someone not registered on our system.
- b Complaints made by members of the public will be dealt with by the headteacher and beyond that the chair of the board of trustees only.

This policy is not intended to apply to concerns or complaints related to the following aspects of the School’s work as these are covered under separate policies and procedures:

- appeals about admissions
- school re-organisation proposals
- statutory assessments of special educational needs
- matters likely to require a child protection investigation
- exclusion of students from the School
- whistleblowing
- staff grievances
- staff conduct complaints
- complaints about services provided by other providers who may use the School premises or facilities

## Procedure

- Complaints will be dealt with honestly, politely and in confidence
- Complaints will be looked into thoroughly and fairly and every effort will be made to resolve the issue
- Every effort will be made to comply with the time limits specified under each stage of the procedure
- We will apologise if we have made a mistake
- A full and clear written reply to formal complaints will be issued within twenty school days of the complaint being received.

To enable a proper investigation, concerns or complaints should be brought to our attention as soon as possible and in general not later than three months after the event that gave rise to the concern or complaint.

Where a concern or complaint is submitted more than six months after the incident or event (or where the complaint relates to a series of incidents or events, more than six months from the date of the latest incident or event) we reserve the right to refuse to investigate the complaint if it appears reasonable and fair to do so having regard to any exceptional circumstances surrounding the complaint.

### Complaints about the headteacher

Complaints against the headteacher will be dealt with by chair of the board of trustees (stage 2) and the vice chair of the board of trustees (stage 3).

### Complaints about trustees

Complaints against the chair of the board of trustees, any individual trustee or the entire board of trustees should be sent to the clerk to the board of trustees who will determine the most appropriate course of action. This will depend on the nature of the complaint.

### Anonymous complaints

We do not respond to or investigate anonymous complaints except in extreme circumstances where the safety of a student may be compromised.

### Serial and persistent complaints

There may be occasions when, despite all stages of the complaint procedure having been followed you remain dissatisfied. If you try to reopen the same issue, we will inform you that the procedure has been completed and that the matter is now closed.

If you contact us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond if it appears reasonable and fair to do so.

There may also be occasions when a complaint is made about a matter which is clearly so trivial that it would be a waste of the School's resources to deal with it under the formal stages of the procedure. In such cases we will write to you within five school days of the complaint being raised to notify you of the decision.

### Complaint campaigns

If we receive large volumes of complaints either based on the same subject or from complainants unconnected with the School we will send a template response to all complainants.

## **Stage 1: Informal stage**

If you have a concern about any aspect of the provision for your child you should, in the first instance, discuss it with the relevant member of staff:

- education issues – if the matter relates to the classroom, the curriculum or special educational needs, you should speak to the Form Tutor, SENCO, or deputy headteacher, as appropriate.
- pastoral care – for concerns relating to matters outside the classroom you should speak to the Form Tutor or deputy headteacher, as appropriate.
- disciplinary matters – a problem over any disciplinary action taken or a sanction imposed should be raised with the Form Tutor the first instance. If not resolved you should speak to the deputy headteacher.
- financial and administrative matters – a query relating to fees, extras or other administrative matters should be raised with the school business manager.
- an issue with a specific member of staff – often, the best way to resolve an issue with a specific member of staff is to raise it with that member of staff directly, so that they are given the opportunity to address and resolve the concern or difficulty. If you feel uncomfortable doing this the issue should be raised with the deputy headteacher.

Should a concern or difficulty be raised with a member of staff who feels that they are not the best person to be dealing with it, they will refer it to the deputy headteacher or other designated member of staff as appropriate.

If a concern or difficulty is raised with a member of staff who feels that it raises serious issues which should be dealt with as a formal complaint, the member of staff will tell you that you should make a formal complaint (stage 2).

We will aim to resolve a concern or difficulty within fifteen school days of the date that it was raised and anticipate that most complaints will be resolved at this informal stage through discussion, clarification and/or the provision of information. When communicating the outcome of the stage 1 process we will include details of the stage 2 process.

## **Stage 2: Formal Investigation by the headteacher**

If the concern or difficulty is not resolved at the informal stage, the complaint should be set out on the complaint form (see Appendix 1 or the School website) and addressed to the headteacher. Should you require support with submitting your complaint please contact the headteacher. The headteacher will be responsible for ensuring that the complaint is investigated properly.

The headteacher will respond formally in writing to acknowledge the complaint within five school days. The headteacher will explain how the complaint will be dealt with and may invite you to a meeting to clarify the concerns and to seek a resolution to them.

The headteacher will aim to inform you of the outcome of the investigation within twenty school days from the date that the complaint was received and include details of the stage 3 process.

## **Stage 3: Review by the chair of the board of trustees**

If you are not satisfied with the outcome of stage 2 you may write to the clerk within five school days of receiving the letter confirming the outcome following stage 2 asking for the complaint to be

reviewed by the chair of the board of trustees. You should clearly set out how and why you do not accept the findings under stage 2.

The chair of trustees will acknowledge your letter within five school days confirming the date that the formal complaint was received, the action to be taken and the specified time limit.

The chair of trustees will review all of the documentation and may invite you to a meeting. If the chair of trustees considers a meeting appropriate it will usually take place after the review has been completed with the aim of reaching a mutually acceptable resolution.

The chair of trustees will write to you within twenty school days from the date that the request for a review was received and include details of the stage 4 process.

Please note that the chair of trustees may delegate the review to the vice chair.

## **Stage 4: Complaint panel hearing**

If you remain dissatisfied following stage 3 and wish to take the complaint further you should write to the clerk to the board of trustees.

The written complaint should:

- state clearly the reason for the complaint
- explain clearly what steps have been taken to resolve the complaint so far by the School and why this has not been satisfactory
- outline the desired outcome from the complaint

### Convening the complaint panel hearing

The clerk to the board of trustees will arrange for your complaint to be considered by a panel comprising two trustees (one of whom will take the role of chair of the complaint panel) plus one other individual who will be independent of the management and running of the School and not linked to the School in any way. The three panel members will have no prior knowledge of the complaint.

The clerk will then write to you within five school days to:

- acknowledge receipt of your request for a complaint panel hearing
- invite you to attend the complaint panel hearing (to take place within twenty school days of receipt of your request, unless there are exceptional circumstances)
- inform you of the names of the panel members (you should notify the clerk within three school days if you object to any of the named persons being appointed to the complaint panel)
- ask you to provide any additional written information/evidence that you will use at the complaint panel hearing. Your information/evidence will be added to the original complaint form, all documentation relating to stages 2 and 3 and your letter requesting the complaint panel hearing and circulated five days in advance to all parties attending the complaint panel hearing
- advise that you may be accompanied to the complaint panel hearing by another person for moral support only and not to play any part in the proceedings unless invited to do so by the chair of the complaint panel. (The complaint panel is not a legal hearing and it is not appropriate for either you or the School to be legally represented).

The School will be represented at the complaint panel hearing by the headteacher and the person who dealt with the complaint under stage 3 which will usually be the chair of trustees.

The chair of the complaint panel will decide, at his or her absolute discretion, which witnesses will be permitted to attend the complaint panel hearing to give a verbal statement rather than relying on a signed written statement.

The clerk to the complaint panel who will usually be the clerk to the board of trustees will minute the complaint panel hearing.

#### Procedure at the complaint panel hearing

1. The chair of the complaint panel will invite you to give an account of your complaint
2. The chair of the complaint panel will invite questions from the headteacher, the person who dealt with the complaint under stage 3 which will usually be the chair of the board of trustees and members of the complaint panel
3. If applicable the chair of the complaint panel will invite your witness(es) into the room individually to give an account of what they saw or know and they will be asked to leave the room after answering any questions
4. The chair of the complaint panel will invite the headteacher and the person who dealt with the complaint under stage 3 which will usually be the chair of trustees to respond to the complaint
5. The chair of the complaint panel will invite questions from yourself and members of the complaint panel
6. If applicable the chair of the complaint panel will invite the School's witness(es) into the room individually to give an account of what they saw or know and they will be asked to leave the room after answering any questions
7. The chair of the complaint panel will ask you to summarise your complaint
8. The chair of the complaint panel will ask the headteacher to summarise her response and the School's stance
9. The complaint panel hearing will then conclude and the chair of the complaint panel will ask you and the School representatives to leave

#### The complaint panel's decision

The complaint panel will convene in private with the clerk in attendance usually immediately after the complaint panel hearing or at a subsequent date to consider all of the documentation and everything that they have heard at the complaint panel hearing.

The clerk to the complaint panel will then write to you, the School representatives and, if relevant, any person complained about, within ten school days of the complaint panel hearing to tell you the findings and any recommendations of the complaint panel.

#### Recording complaints

The headteacher will ensure that a written record is kept of all complaints made at stages 2, 3 and 4 detailing how the complaints were resolved and any action taken by the School as a result of those complaints (regardless of whether they are upheld).

All correspondence, statements and records relating to individual complaints will be kept confidential except under certain circumstances including Secretary of State request and inspection.

All personal information or records relating to complaints will be treated in confidence and in accordance with the requirements of the Data Protection Act 2018.

### Referral to the Education and Skills Funding Agency

We anticipate that the internal processes outlined in this policy will resolve most complaints. If you wish to escalate your complaint you should contact the Education and Skills Funding Agency (ESFA). You should be aware that the role of the ESFA is to consider whether the School followed the correct process and not to investigate the School's decision.

Appendix 1 **Formal complaint form (stage 2)**

Your name:
Student's name and Year Group (if relevant):
Your relationship to the student:
Address:  Postcode: Daytime telephone number: Evening telephone number: Email address:
Please give full details of your complaint:
What action, if any, have you already taken to try to resolve your complaint (who did you speak to and what was the response)?
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details
Signature:
Date: