



EAGLE HOUSE SCHOOL



## Academic Year 2023 - 2024

### Document Control

Title of Policy:	<b>Parental Complaints Policy</b>
Policy/Procedure Owner:	Hilary Harper
Date Last Reviewed:	6 <sup>th</sup> September 2023
Ratified by Governors:	If applicable which governing body and date it was ratified or n/a

# PARENT COMPLAINTS PROCEDURE

## Introduction

1. Eagle House School prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this procedure. Parents can be assured that all 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 raise in good faith.
2. A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department 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.
3. This procedure applies to parents of pupils currently on the roll of the School. It does not apply in respect of past pupils unless the complaint was initially raised whilst the pupil was still on the School roll. This procedure does not apply to complaints by prospective parents, including those who have accepted a place at the School in respect of their child but where that child has not yet started at the School.
4. The School will not normally investigate any anonymous complaints. However, the Head will determine whether the complaint warrants an investigation.
5. The School's Terms and Conditions sets out the circumstances in which the Head may expel a pupil or require a pupil to be removed. Wherever practicable, the parents of the pupil concerned will be invited to discuss the issue with the Head (or in her absence the Deputy Head) before a final decision is taken. The Head is required to inform the Chair of Governors without delay of the decision and the circumstances. If the parents wish to contest the Head's decision, they may exercise a right of appeal to the Appeal Panel of the Governors following the Stage 3 Procedure set out below. Such process is deemed to be the Governors' Review Procedure for the purposes of the School's Terms and Conditions.
6. Any references to communications in writing may be sent by email to the address of the parents currently held by the School.
7. Parents should not approach individual Governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may prevent them from considering complaints if escalated to Stage 3 of the procedure.

**Time Limit for Bringing a Complaint.** All Complainants should notify a complaint as soon as practicable. 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.

## Timeframes for Dealing with Complaints

1. Working days for the purposes of this procedure shall mean any day during term time other than a Saturday, Sunday, UK public holiday or a day falling during a half term. Term dates can be found on the School website. Any complaints raised during School holidays (including half terms) will be acknowledged and this procedure commence when the School re-opens. In

calculating the number of days, the day of receipt of the complaint and the day of despatch of the response shall not be counted.

2. If other bodies are investigating aspects of the complaint (for example, the police, local authority safeguarding teams or any tribunal), this may impact on our ability to adhere to the timescales within this procedure or result in this procedure being suspended until those public bodies have completed their investigation.
3. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence. However, deviation from the normal timetable on this ground should only happen in exceptional circumstances and the School will take all reasonable steps to limit any such delay.

### **Where the Complaints Process may be suspended**

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the School may immediately refer the case to child protection and welfare services and other authorities, including the police, as required by law and best practice. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the School and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the School, any consideration of that complaint by the School will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the Schools' safeguarding policies.

### **The Procedure**

#### ***Stage 1 - Informal Resolution***

It is hoped that most complaints and concerns will be resolved quickly (within 10 working days) and informally.

A parent making a complaint should contact their child's Form Teacher or Tutor (as relevant) in the first instance regardless of whether the complaint is about an academic, co-curricular or pastoral matter.

If a complaint is about their child's Form Teacher or Tutor (as relevant), the parent should contact the Deputy Head (Pastoral and Admin) or the Deputy (Academic) depending on the nature of the complaint.

If a complaint is about the Head, parents should raise this with the Master of Wellington College who will seek to deal with the matter informally.

The member of staff to whom the complaint is made will make a written record of the complaints, the date on which it was received and the outcome.

The member of staff to whom the complaint has been made may consult with colleagues, meet with the pupil, parents or any other person involved in order to resolve the complaint and restore relations between those concerned. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If not, the parent will be made aware of this procedure and advised to proceed with their complaint in accordance with Stage 2.

It should be noted that any complaints made by a parent to the Head or any other member of staff will be, in the first instance, referred to the relevant Form Teacher or Tutor (as relevant) to address or, if the complaint is about that person, to the relevant Deputy Head.

### **Stage 2 - Formal Resolution**

1. If the complaint is not resolved to the parent's satisfaction by the informal process, then, unless the complaint is about the Head, the parents should put a formal complaint in writing to the Head providing details of the complaint, the reason they are not satisfied with the response and the outcome they are seeking. In most cases, the Head will appoint a member of the Senior Leadership Team to conduct this part of the procedure on his/her behalf. References in this section to the "Head" include the relevant member of the Senior Leadership Team. If the complaint is about the Head, the procedure set out below should be followed.
2. The Head will respond to the parent concerned within five working days indicating how the School proposes to deal with the formal complaint. This will usually involve an investigation being undertaken as to the matters leading to the complaint. In appropriate circumstances, an alternative approach (for example, mediation) may be proposed.
3. Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established and any investigation is complete, a decision will be made as to the outcome of the complaint and the parents will be informed of this decision and the reasons behind it in writing, within 15 working days from the receipt of the complaint. Alternatively, she may choose to meet with or speak to the parents to discuss the matter and communicate her decision and the reasons behind it in which case he will follow this up in writing within 15 working days from the receipt of the complaint.
4. The Head will keep written records of all meetings and interviews held in relation to the complaint.
5. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

If the complaint is about the Head, parents may submit their complaint to the Chair of Governors by writing to the Clerk to the Governors, Wellington College, Crowthorne, RG45 7PU. Within three working days of receipt, the Clerk will refer the complaint to the Chair of Governors. Within five working days of such referral, the Chair of Governors will nominate a Governor to consider the complaint and, via the Clerk, write to the parents with the name of the nominated Governor. The nominated Governor will ask for a report from the Head (and the Master if appropriate) and will investigate matters (including, if appropriate, speaking to the parents concerned). Once the nominated Governor is satisfied that, so far as is practicable, all of the relevant facts have been established and any investigation is complete, a decision will be made as to the outcome of the complaint and the parents will be informed of this decision and the reasons behind it in writing, within 15 working days from his/her nomination. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3 - Panel Hearing**

1. If parents wish to invoke Stage 3, within ten working days' of the Head's decision (or the Governor in the case of a complaint about the Head) they must submit a written complaint addressed to the Clerk to the Governors, Wellington College, Crowthorne, RG45 7PU. Such complaint should give reasonable particulars of the complaint, specify the outcome being sought and include any documents or other evidence or details of witness to fact or character on which the parents intend to rely.
2. New matters of complaint will not be reviewed at this stage and any evidence unrelated to the initial complaint will not be considered. If new matters of complaint are raised at this stage,

they will be acknowledged and the parents informed of the person to whom they have been referred under Stage 1.

3. The Clerk to the Governors will refer an appeal to the Appeal Panel for consideration within five working days of receipt of the complaint. The Appeal Panel will consist of at least 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. Each of the Appeal Panel Members shall be appointed by the Chair of Governors.
4. The Clerk, on behalf of the Appeal Panel, will acknowledge the appeal and schedule a hearing to take place within 20 working days of the date of the complaint. The Clerk will notify the parents and the Head of the date of the appeal hearing and ask whether they plan to attend and speak at the hearing. If the parents elect not to attend a hearing, the School remains obliged to hold the hearing in line with the procedures outlined in this policy and the Appeal Panel will rely on written submissions to reach findings on the substance of the complaint. If the parents do wish to attend a hearing, the Appeal Panel will (i) determine whether the hearing will be held physically in person or virtually using Teams or similar software and (ii) make all reasonable efforts to facilitate parents exercising their right to attend the Appeal Panel hearing. However, if the parents cannot attend the scheduled date or any of three alternative dates proposed, the hearing shall proceed in their absence on the basis of written submissions only. If the parents cannot attend the scheduled date or the first alternative date proposed, the remaining two alternative dates may be after the expiry of the original 20 working day period but should be within 25 working days of the date of the complaint.
5. Both the parents and the Head may be accompanied to the hearing by one other person if they wish provided that they provide the details of such person and a statement of the capacity in which they are attending to the Appeal Panel in advance. In either case, this person (i) may be a relative, teacher or friend, must be over the age of 18 and not a pupil at the School (ii) must undertake to accept the confidentiality of the appeal and (iii) shall not have the right to address the Appeal Panel unless expressly invited to do so by the Appeal Panel. Legal representation will not normally be appropriate and legal representation requires the prior approval of and is subject to any conditions imposed by the Chair of the Appeal Panel.
6. The hearing will not be conducted in an adversarial way and the primary concern of the Appeal Panel is to deal with matters fairly and, therefore, the chairman of the Appeal Panel has discretion to conduct the hearing (including deciding who may attend) in any way which will achieve this. Subject to the rules set out in this document, the Appeal Panel may regulate their proceedings and give such directions as they see fit.
7. If the Appeal Panel deems it necessary, they may require that further particulars of the complaint or any related matter and any relevant documents or records be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.
8. The Appeal Panel will decide whether it would be helpful for witnesses to attend and who those witnesses should be.
9. If the Chair of the Appeal Panel reasonably believes that the Appeal Panel should hear evidence from an individual in private (i.e. in the absence of the person bringing the complaint or any third party), he or she may so decide. In such circumstances, the complainant will be given reasons for the decision and a summary of the individual's relevant evidence after the event if the Chairman of the Appeal Panel believes the evidence to be relevant to the complaint. The Appeal Panel may withhold the identity of a pupil who gives evidence in private to the Appeal Panel.
10. 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.
11. After due consideration of all facts they consider relevant, the Appeal Panel will reach a decision whether to uphold or dismiss the complaint in whole or in part and may make recommendations. The Appeal Panel may make a decision by majority vote.

12. The Appeal Panel will write to parents, the Head, The Master, the Chair of Governors and, if relevant, the person(s) being complained about informing them of the outcome of the complaint, the reasons for this and of any recommendations within fifteen working days of the hearing or, if further investigation was required, within ten working days of the date such investigation was concluded. Whilst the Appeal Panel may make recommendations to the School, the Appeal Panel cannot make any financial award nor impose sanctions on staff, pupils or parents.
13. The decision of the Appeal Panel will be final and represents the conclusion of this procedure.
14. The Appeal Panel's findings and recommendations will be available for inspection on the School's premises by Governors and the Head.

### **Contacting the Independent Schools Inspectorate (ISI)**

The School is inspected by ISI. Parents have the right to contact the ISI if they have a complaint regarding the School's general education, pastoral or boarding provision. ISI will usually expect parents to have followed the School's formal complaints procedure before contacting them. However, you can report your concerns to ISI on 020 7600 0100 or at [concerns@isi.net](mailto:concerns@isi.net) or you can write to the ISI at CAP House, 9 – 12 Long Lane, London, EC1A 9HA.

**In the academic year 2022/23, the School received two formal complaints, one of which progressed to a Panel Hearing.**

### **Parents of children in The Nursery**

In addition to or as an alternative to using this procedure, parents of EYFS pupils may, if their complaint specifically relates to the School's fulfilment of the EYFS requirements, complain to Ofsted

Ofsted can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or in writing to Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD. ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net) or in writing to ISI, CAP House, 9-12 Long Lane, London EC1A 9HA. Parents who make a complaint to Ofsted which relates to the EYFS requirements will be notified of the outcome within 28 days of receiving the complaint. The School will keep a copy of the complaint and will make this available to ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice.

### **Managing Serial and Persistent Complaints or Complaint Campaigns**

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.

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

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 and/or publish a single response on the School's website.

## **Documentation, Record Keeping and Confidentiality**

1. A copy of this procedure as well as the number of complaints dealt with by the School under the formal procedures can be found on the School's website.
2. The School will ensure that parents who request a copy of this procedure are made aware that this document is published or available and the form in which it is published or available.
3. Parents can be assured that all complaints will be treated seriously and confidentially, although the Appeal Panel's findings and recommendations will be available for inspection (see below). Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under s109 of the Education and Skills Act 2008 requests access to them or under other legal authority.
4. The School maintains a record of all formal parent complaints for at least three years for regular review by senior management, Governors and for inspection by inspectors. The records states whether the complaint was resolved following the formal procedure or proceeded to a panel hearing and will state the action taken as a result of the complaint (regardless of whether the complaint was upheld). Such records will be retained in accordance with the School's Retention Guidelines. The School will provide ISI on request with a written record of all complaints made during any specified period and the action taken as a result of each complaint.

## **Monitoring and Review**

Governors will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.