

Date: August 2021

Next review: Sept 2022

Responsibility: MW

# Bishop Challoner School



## Complaints Policy



## Bishop Challoner School

### Complaints Procedure

*The complaints procedure outlined below applies to all pupils and parents at Bishop Challoner School, including Early Years Foundation Stage.*

The policy is meant for current school parents and therefore does not apply to parents of pupils who have left the school.

The School's Complaints Procedure must legally be made available to any parent or prospective parent on request. All parents are made aware of the existence of the Procedure (via the school website) and a copy of the Procedure is kept in the school office.

#### A) Complaints Concerning the School

##### Introduction

Bishop Challoner School welcomes suggestions and comments from parents, and takes seriously concerns or complaints which may arise, as they can help us to improve the educational experience that we provide.

##### The purpose of the procedure

- The aim of this procedure is to achieve a fair, effective and as rapid as possible resolution of parental concerns about the education and/or welfare of individual children in the care of Bishop Challoner
- To ensure good standards of conduct and job performance are met
- To provide clear guidance on dealing with any failure to maintain these standards.
- To deal with complaints at the earliest possible time and at the level of seniority most relevant to the complaint
- Where a more specific procedure (such as the exclusions policy) applies, and parents have exhausted their right of appeal under that procedure, this procedure may not be used to give parents a second opportunity to challenge the disputed decision, as this would not be "fair", "effective" or "rapid", as required by the first bullet point above
- The expression 'parents' is used for those having parental responsibility for the child
- These procedures apply to all parents of pupils and to prospective parents of the school. A copy of this procedure is available on the school's website and can also be obtained on request from the school office

##### Timing

Effective and fair resolution of concerns usually requires that they are brought to the attention of the school promptly, which should normally be within three months of the relevant event(s). Complaints may be heard after this time if the Trustees consider that the delay has not prejudiced an effective and fair resolution.

### **Proportionality and minor complaints**

Responses to complaints should always be proportionate to the issues, with primary regard to their importance in the onward education or welfare of the pupil concerned. Complaints about minor issues should be addressed with a light touch.

### **Legal proceedings**

Where legal proceedings exist between the School and the parents/pupil, this procedure may be subject to the constraints of the legal process. For example, in personal injury cases, our insurers may not allow us to disclose information outside the formal legal process.

### **Record Keeping**

A written record of all complaints (which may include notes, correspondence and statements) will be kept at each stage of the procedure, and will include details of whether individual complaints were resolved following a formal or informal procedure, or proceeded to a panel hearing. The record will include details of any action taken by the school as a result, regardless of whether they are upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where access to them is requested to the extent stated in Part 7, paragraph 33(k) of the Education (Independent School Standards) Regulations 2014, by the Secretary of State (also covered under Section 108 or 109 of the 2008 Education and Skills Act), or where disclosure is required in the course of the School's inspection or under other legal authority. The record of complaints relating to EYFS must be made available to OFSTED on request.

The written record of complaints (particularly of all serious complaints) kept by the school is regularly reviewed by the Headteacher and by the Chair/Vice Chair of Trustees.

The number of complaints recorded under the formal procedure during the preceding school year is available to parents of pupils (and prospective pupils) on request from the Headteacher's PA.

### **For complaints**

- No pupil will be penalised for making a complaint in good faith
- For a more serious academic concern or pastoral matter contact the relevant Head of Section (Head of Nursery), Head of KS1 and KS2, Head of KS3, Head of KS4 or Head of Sixth Form
- For concerns about the Curriculum please contact the Deputy Headteacher
- For any other pastoral or disciplinary concern, please contact the Deputy Headteacher
- In matters regarding finance, fees and non-academic services the Bursar should be contacted
- Parents may also make a complaint to the Independent Schools Inspectorate if they so wish - ISI can be contacted at: Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA or by telephone: 020 7600 0100 or via their website: [www.isi.net](http://www.isi.net)

- Complaints relating to EYFS requirements may be addressed to the Independent Schools Inspectorate at CAP House, 9-12 Long Lane, London EC1A 9HA, or may be raised by telephone: 020 7600 0100 or via their website: [www.isi.net/contact](http://www.isi.net/contact)
- Ofsted may be contacted on 0300 123 4234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.

### **Stage 1 Informal Resolution**

It is hoped that most complaints and concerns will be resolved quickly and informally.

- For minor day to day issues please contact the relevant teacher, Tutor by pupil planner or phone
- For a more serious subject related academic concern the Head of Department / Subject teacher / Co-ordinator should be contacted
- For a more serious academic concern or pastoral matter contact the relevant Head of Section (Head of Nursery) , Head of KS1 and KS2, Head of KS3, Head of KS4 or Head of Sixth Form
- For concerns about the Curriculum, pastoral or disciplinary concern please contact the Deputy Headteacher
- In matters regarding finance, fees and non-academic services the Bursar should be contacted

The teacher will make a written record of all complaints and the outcome of the complaint, the date on which they were received and any action taken by the school as a result. We will endeavour to acknowledge a complaint in writing by telephone or e-mail as soon as possible (within 5 working days during term time and as soon as is practical during the school holiday).

Should the matter not be resolved within 10 school days or in the event that the member of staff and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

We will always respond to complaints in a highly professional and sensitive manner. This policy will come into effect whenever the informal process has not achieved a satisfactory outcome for all parties.

### **Stage 2 – Formal Resolution**

#### **PART A**

##### **School Level**

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headteacher as soon as possible. Complaints in writing to the Headteacher will be acknowledged by email/voicemail/letter within one working day (term time) of receipt and parents will be informed of how the matter will be investigated.

The Headteacher (or her representative) will investigate the complaint. Complaints will be responded to in writing within 10 working days (term time) of acknowledgement of the complaint indicating how the issue has been dealt with and what the outcome is with records kept.

During the period of exceptional circumstances for example a COVID pandemic, there will need to be some flexibility and extension to the outcome of a response to a complaint, as a consequence of disruption or staff absence.

During school holidays complaints will be dealt with as soon as is practicable.

If a parent is not happy with the result or outcome, an appeal in writing to the Chair of Trustees should be made within 10 days of receipt of the letter of response from the School. If the complaint is about the Headteacher, the parents should write directly to Mrs Tickey Colling, c/o Bishop Challoner School, 228 Bromley Road, Shortlands, Kent, BR2 0BS. A complaint should clearly identify the main issue(s) of concern, and, if possible, indicate the nature of the resolution that they are seeking.

The Headteacher will respond to complaints relating to the fulfilment of EYFS requirements within 28 days of receipt.

- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint. For all complaints relating to the EYFS, the record of complaints will be kept for at least 3 years.
- The school will also keep a written record of complaints and of whether they were resolved at the preliminary stage or proceeded to a Panel hearing
- Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents informed of this decision in writing. The Headteacher will also give reasons for their decision
- Complaints about the Headteacher should be made directly to the Chair of Trustees.
- It is important that the Headteacher satisfies themselves regarding the quality of the information available and any gaps in the School's performance
- If parents are still not satisfied with the decision, parents are able to proceed to Stage 3 of this Procedure for those matters which are within the responsibilities of the school or of the Trustees. Where the complaint is against the decision of an external agency or third party, such as an examination board or higher education institution, parents will be advised on the appropriate route for their complaint and, where possible, given information and advice about progressing their concerns

### **Stage 3 – Panel Hearing**

- If parents wish to have their complaint considered at a Panel Hearing, they should write to the Chair of Trustees (Mrs Tickey Colling, c/o Bishop Challoner School, 228 Bromley Road, Shortlands, Kent, BR2 0BS) setting out their complaint
- If a request for a Complaints Panel is made without the matter having previously been investigated by the Headteacher, then the Chair will refer the matter for investigation under Stage 2 of this procedure

- The Chair of Trustees will normally write to the parents before the hearing, having considered the nature of the complaint and the documentary material, to state how the hearing will be conducted. Should the parents have any questions concerning the Panel's procedure, they should address them to the Chair of Trustees
- Documentation will be clearly indexed. Relevant documentation is likely to include any written complaints made by the parents to the school, notes of any meetings with the parents or the pupil, notes of meetings with other pupils involved (e.g. an alleged bully), notes of any relevant absences, and records of any concerns raised by staff with parents/pupil and actions taken. N.B. the Chair of Trustees or their representative may need to make their own enquiries of relevant members of staff once they have reviewed the material provided
- A panel of Trustees will be appointed by the Chair to hear the appeal. This will consist of at least three people who are not directly involved in the matters detailed in the complaint (one of whom will have total independence from the management and running of the school)
- It will be set up as soon as practicable and normally within 10 working days unless, despite the best efforts of all involved, circumstances such as public holidays or existing commitments of the Panel dictate that the meeting be delayed beyond this timescale
- A Parent (or parents) may attend and be accompanied by one person of their choosing. This may be a relative, teacher or friend. Legal representation will not normally be appropriate
- The parents should supply copies of their previous written complaint to the Headteacher and Chair of Trustees and any other documentation they may wish to rely not more than 7 days after the date of notification of the hearing. Documentation must be relevant to those matters set out in the complaint. In the interests of resolving the complaint expeditiously, complaints should focus on the main issues. It is helpful if the complainant is able to indicate the nature of the outcome which they are seeking as a means of resolving their complaint
- 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 the Chair of Trustees Clerk not less than 5 school days prior to the hearing, for circulation to all parties
- The parents will be supplied with copies of any statements and supporting/ background documentation provided by the Headteacher to the Panel not less than 10 school days before the hearing
- The Panel may refuse to consider matters of which written notice has not been given if doing so appears to them likely to be prejudicial to a fair and effective consideration of the complaint
- The School to be represented by a maximum of two members of the Senior Leadership Team. The Clerk to the Trustees will act as scribe. All parties, except the Panel and Clerk, to retire while the appeal is considered
- Conduct of the hearing shall be at the Panel's discretion which will be exercised in the interests of a fair, effective, and appropriately rapid resolution of the complaint

- The decision of the panel will be communicated in writing to the School and parents within 5 working days and reported to the relevant Trustee Committee meeting

### **General Points**

- Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this will be regarded as vexatious and outside the scope of the policy
- A written record of all complaints will be held by the Headteacher with details of the stage/level at which they were resolved
- Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing; and the action taken by the school as a result of these complaints (regardless of whether they are upheld).
- The findings and recommendations of the panel referred to, must be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about
- The findings and recommendations are final and binding on all parties. A record of the appeal will be kept in the school
- A copy of the findings and recommendations will be available for inspection on the school premises by the Trustees and the Headteacher
- The Headteacher will keep a copy of the findings and recommendations for all complaints which have been dealt with at a Panel hearing under this procedure
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential except where disclosure is required in the course of the school's inspection or where any other legal obligation prevails
- Less serious complaints are all recorded and stored centrally. These are monitored regularly by the Headteacher, Deputy Head and Head of Key Stage 1 and 2

### **Mediation**

At any stage of the process it may be helpful to consider mediation, or a facilitated discussion by an experienced mediator, as a way to address any particularly difficult or sensitive issues as constructively as possible.

M Wallace