

# Complaints Procedure

## Including EYFS



	Name	Date
<b>Prepared by</b>	James Griffiths	April 2024
<b>Checked and Reviewed by</b>	Philippa Ireton	May 2024
<b>Ratified by Board of Governors</b>		May 2024
<b>Next School Review</b>		May 2025

## **INTRODUCTION**

Dallington School has long prided 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 with care and in accordance with this Complaints Procedure. The School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in the School office during the school day, and the School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32 of Schedule 1 to the Education Independent School Standards Regulation 2014, The School will also make available, on request, to Ofsted, the Department for Education or the Independent Schools Inspectorate, details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Although this Procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. "Parents" means the holder of parental responsibility for a current or prospective pupil about whom the complaint relates.

## **WHAT CONSTITUTES A COMPLAINT?**

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 year group 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.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School's main priority is always for your child and you can be certain that your child will not be penalised for a complaint that you [or your child] raise[s] in good faith.

## **THE THREE-STAGE COMPLAINTS PROCEDURE**

### **Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should, in the first instance, contact their child's class teacher. In many cases, the matter will be resolved straightaway

by this means to the parents' satisfaction. If the class teacher cannot resolve the matter alone, an SLT member will be consulted.

- Complaints made directly to an SLT member will usually be referred to the relevant class teacher unless the SLT member deems it appropriate for them to deal with the matter personally.
- A written record of all concerns and complaints will be made, including the date on which they were received. Should the matter not be resolved within 10 working days, or in the event that both parties fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.
- Any complaint made against the Head, should be made directly to the Chair of Governors whose contact details are available from the School on request.

### **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet the parents concerned, within 5 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head, or their nominee, to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head will also give reasons for their decision. In most cases, the Head will make their decision and provide the parents with reasons within 15 working days of the complaint being put in writing.
- If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for their decision.

- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3 – Panel Hearing**

- If parents seek to invoke Stage 3, following a failure to reach an earlier resolution they should do so in writing to the Chair of Governors within 5 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.
- The Governor who has been appointed by the Board of Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, and will usually consist of one of the School's Co-Chairs, and one person who shall be independent of the management and running of the School. The Board of Governors will appoint one Panel member to act as Chair of the Panel. The Chair of the Panel on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.
- 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 3 working days prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. [The Head shall also be entitled to be accompanied to the hearing by one other person if they wish.] This may be a relative, teacher or friend. Legal representation will not [normally] be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel.
- If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
  - Dismiss the complaint in whole or in part;
  - Uphold the complaint in whole or in part; and
  - May make recommendations.

The Panel will write to the parents informing them of its decision and the reasons for it, within 5 working days of the hearing, although additional time may be required if it is necessary to carry out further investigations following the hearing. The decision of the Panel will be final. A copy of the Panel's findings and recommendations will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations will also be available for inspection on the School premises by the Chair of Governors and the Head.

Please note that, for the purposes of this procedure, working days refers to weekdays - Monday to Friday during term time, excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay.

### **RECORDING COMPLAINTS AND USE OF PERSONAL DATA**

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the informal stage (Stage 1) the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint regardless of whether the complaint is upheld for 7 years.

The School processes data in accordance with its Privacy Notice. When dealing with complaints the School including any Panel member appointed under the Stage 3 process may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations
- Witness statements
- Name and contact details of member of staff handling the issue at each stage
- Copies of all correspondence on the issue, including emails and records of phone conversations
- Notes and minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' as further detailed in the Data Protection Policy, but potentially including, for instance, information relating to physical or mental health, where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy. The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Data Protection Policy.

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 section 109 of the Education and Skills Act 2008 requests access to them.

### **Early Years Foundation Stage**

In the event that the school receives a complaint from a parent or guardian relating to the schools' EYFS provision, Lower and Upper Nursery, the complaint must be investigated and the complainants will be notified of the outcome of an investigation within 28 days of that complaint being received in writing. The record of complaints will be made available to Ofsted and ISI on request. The parents/guardians of children in Lower and Upper Nursery only are entitled to contact the Independent School Inspectorate and/or Ofsted, if they believe that the school is not meeting the EYFS Regulatory Requirements.

Dallington School will provide 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.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements.

**Ofsted can be contacted on 0300 123 4666 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)**

**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)**

**[ISI, CAP House, 9-12 Long Lane, London EC1A 9HA](#)**

Number of complaints that reached the formal stage in the year 2022-23: 1

Number of complaints that reached the formal stage in the year 2023-24 to date: 0