



**Haberdashers'  
Castle House School**

<b>A14 – Complaints Policy</b>		
<b>Actions</b>	<b>Date / details</b>	<b>By whom</b>
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Reviewed	Aug 2023 - Updated records	IS
Updated	Nov 2023 – details of complaint	
Review Date	Aug 2024 or before as required	IS

*This policy is applicable to all pupils, including those in the EYFS (Nursery and Reception).*

### **Introduction**

The School and EYFS (Kindergarten and nursery) expects to provide a high quality of teaching and pastoral care 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, which is available at any time to parents and prospective parents and is applicable to parents of both school age and EYFS pupils.

### **Complaints in the EYFS**

The EYFS in Castle House School, including Reception and Nursery, uses the whole school complaints procedure detailed below.

In the first instance all complaints relating to Nursery should be brought to the nursery manager's attention, who will endeavour to resolve the complaint to the satisfaction of both parties.

Additional requirements apply for EYFS settings beyond those which apply to the main school. Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome or updated on the progress of the investigation within 28 days. The record of complaints must be made available to Ofsted and ISI on request.

We make available details of how to contact Ofsted, and/or ISI, if parents believe the provider is not meeting the EYFS requirements. Telephone Ofsted – 0300 123 1231 or email ISI - concerns@isi.net

## **WHOLE SCHOOL PROCEDURE FOLLOWING A COMPLAINT**

### **Time scales**

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The school will consider complaints made outside of this time frame if exceptional circumstances apply.

### **Complaints received outside of term time**

The school will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **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 normally contact their son/daughter's form teacher or the Nursery manager. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form teacher or Nursery Manager cannot resolve the matter alone, it may be necessary for him or her to consult a senior manager or the Head.
- Complaints made at this stage of the procedure directly to a senior manager or the Head will usually be referred to the relevant form teacher or Nursery Manager unless the senior manager or the Head deems it appropriate for him or her to deal with the matter personally.
- The form teacher or Nursery manager will make a written record of all concerns and complaints, the date on which they were received and whether the matter is resolved at the informal stage. Should the matter not be resolved *within ten working days* or in the event that the form teacher/Nursery Manager 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.
- Correspondence, statements and records should be kept confidential – known only to those staff and individuals who need to know.
- If parents are still not satisfied with the decision they should proceed to the next stage of this procedure within five working days of receipt of the Head's decision.

### **Stage 2 – Formal Resolution: Preliminary Stage**

- 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 all cases, the Head will speak to the parents concerned, *within five 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 to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint, which will indicate whether the matter was resolved at the preliminary stage or is to proceed to a panel hearing.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made *within a further ten working days* and parents will be informed of this decision in writing. The Head will also give reasons for the decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.
- Parents of EYFS pupils may contact OFSTED, or ISI, if they wish. Contact details are above.
- If parents are still not satisfied with the decision they should proceed to the next stage of this procedure within five working days of receipt of the Head's decision.

### **Stage 3 – Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution or where the complaint relates to the Head), they will be referred to the Chair of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The 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. The independent panel member shall be a person who has held a position of responsibility, with experience of analysing evidence and stating balanced arguments. Each of the Panel members shall be

appointed by the board of governors. The Chairman of Governors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and *within ten 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. Copies of such particulars shall be supplied to all parties *not later than five working days prior to the hearing*.
- ❑ The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- ❑ If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. *It will write to all parties within five working days* of the hearing, setting out its decision.
- ❑ 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 reach a decision and may make recommendations, which it shall complete *within five working days of the Hearing*.
- ❑ The Panel will write to the parties *within a further five working days* informing them of its decisions and the reasons for its findings and recommendations. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head, the Governors and, where relevant and/or appropriate, the person complained of.

### **Outcomes and Records Kept**

- ❑ Complainants will be notified of the outcome or updated on the progress of an investigation *within 28 days* of the school having received the complaint.
- ❑ A written record of all complaints shall be kept, with a note of whether they were resolved at the "Preliminary Stage" or proceeded to a panel hearing. Records for both school and EYFS will be kept for three years and be available for inspection on the school premises by the Governing Body and the Headteacher.
- ❑ Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002, as amended, requests access to them; or where any other legal obligation prevails.
- ❑ For clarity, all timescales given above are highlighted with italics.
- ❑ The school or nursery will provide Ofsted and/or ISI, 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 written record of complaints made should include action taken by the school as a result of these complains.

### **Access to complaints**

Under the Data Protection Act 2018 any requests for information from held by the school about specific individuals will be made available on request to that individual. Where other parties or pupils are mentioned all names will be redacted in accordance to GDPR regulations

### **Record of complaints**

November 2023 – One complaint is recorded as having reached stage 2 before a resolution was reached. There are currently no unresolved complaints on record.

### **Next Steps**

If the complainant believes the school did not handle the complaint in accordance with this complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, the complainant can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has

adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD