



# Complaints Procedure

**Complaints Co-Ordinator: Mr M Jefferson (Headmaster)**

## INTRODUCTION

This policy applies throughout the School from EYFS to Year 7/8

Downham Preparatory School and Montessori Nursery 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 the procedure set out in this Policy.

The School makes its Complaints Policy available to all parents of pupils (and of prospective pupils) on the School's website and in the School Office during the school day.

In accordance with paragraph 32(1) (b) of Schedule 1 to the Education (Independent School Standards) Regulations (2014), the School will make available to parents of pupils (and of prospective pupils) and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaint procedure and the number of complaints registered under the formal complaints procedure during the preceding School year. This information is made available to parents on request from the School Office.

## WHAT CONSTITUTES A COMPLAINT?

The Independent School Standards and the Department for Education do not distinguish between 'concerns' and 'complaints'. Any matter about which a parent of a pupil is unhappy and seeks action by the School is a complaint and is in the scope of this Policy.

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. Any matter about which a parent is unhappy and seeks action by the School is within the scope of this Policy. 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 is here for the child and the complainant can be assured that they and the child will not be penalised for a complaint raised 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 normally 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 it may be necessary for him/her to consult the Headmaster. Complaints made directly to the Headmaster will usually be referred to the relevant class teacher unless the Headmaster deems it appropriate to deal with the matter personally.

The class teacher will make a written record of all concerns and complaints and the date on which they were received. A copy of which will be given to the Headmaster (Complaints Co-ordinator) and placed in a central record of complaints held in the Headmaster's Study. Should the matter not be resolved within 7 days or in the event that the class teacher and the parents fail to reach a satisfactory resolution then parents will be advised that they may proceed with their complaint in accordance with Stage 2 of this procedure. If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Principal.

## **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 Headmaster. Although all formal complaints made at this stage must be made in writing using the **Complaints Recording Form** (see Appendix A). This does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example by email at Stage 1 (Preliminary Stage). The Headmaster will decide, after considering the complaint, the appropriate course of action to take. In most cases, the Headmaster will meet the parents concerned, normally within 7 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 Headmaster to carry out further investigations.

The Headmaster will keep written records of all meetings and interviews held in relation to the complaint and will file them in the Complaints Record folder held in the Headmaster's Study. Once the Headmaster 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 using the **Stage 2 Closure Letter** (see Appendix B). The Headmaster will give reasons for the decision.

If the complaint is against the Head, the Principal will call for a full report from the Headmaster and for all the relevant documents. The Principal 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 Principal 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 using the **Stage 2 Closure Letter** (see Appendix B). The Principal will give reasons for the decision. If parents are still not satisfied with the decision, they will be advised that they may proceed to Stage 3 of this procedure. The Headmaster will record whether the complaint was resolved at the Formal Resolution stage or whether it proceeded to Stage 3 of this procedure. The record will be filed in shared SMT/Complaints folder.

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

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the convenor who has been appointed by the Principal and Headmaster to call hearings of the Complaints Panel. The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of four independent persons not directly involved in the matters detailed in the complaint – one member will be the Headmaster (Complaints Co-Ordinator). Independent Members of the Panel will complete an **ANNUAL DECLARATION OF INTERESTS** (see Appendix D). Our Independent Panel of four consists of

- Mr Bob Emery (**Panel Convenor**) – an experienced businessman and School Governor
- Mrs Sylvia Wilson – an experienced, retired Senior Primary practitioner in the Maintained Sector
- Mr Roger Hobbs – an experienced, retired Police Constable from Norfolk Constabulary.
- Mr Mark Jefferson (**Headmaster – Complaints Co-Ordinator**)

The convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 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 normally not later than 7 days prior to the hearing. The parents may attend the hearing and 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. 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 and may make recommendations. The Panel will write to the parents informing them of its decision and the reasons for it, normally within seven days of the hearing using the **MODEL CLOSURE LETTER FOR FORMAL STAGE 3 COMPLAINT – INDEPENDENT PANEL** (see Appendix C). The decision of the Panel will be final. A copy of the Panel's

findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about and will be made available for inspection on the School premises by the Principal and the Head.

### **TIMEFRAME FOR DEALING WITH COMPLAINTS**

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday period. It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 28 days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the appeal Panel Hearing will be completed within a further 28 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

### **RECORDING COMPLAINTS**

Following resolution of a complaint, the School will keep a written record of all complaints and whether they are resolved at the preliminary stage 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 Headmaster will be the Complaints Co-Ordinator and a Central Record will be kept in school in the Headmaster's Study.

Reviewed January 8 2018

Next Review Date January 9 2019



### Complaints Recording Form

Name .....  
Address .....  
.....  
Postcode .....  
Daytime telephone number .....  
Evening telephone number .....

If applicable, name of child(*ren*) and year at school  
.....  
Your relationship to the school, *e.g. parent, carer, neighbour, member of the public, pupil:*  
.....

**Please give details of your complaint:**

**What action, if any, have you already taken to try and resolve your complaint? Who did you speak to, when and what was the response?**

**What actions do you feel might resolve the problem at this stage?**

**Signature** .....  
**Date** .....

**Official Use:**

*Date of acknowledgment* .....  
*By whom* .....  
*Complaint referred to* .....  
*Date* .....



## MODEL CLOSURE LETTER FOR FORMAL STAGE 2 COMPLAINT – HEAD TEACHER

Dear Mr and Mrs X,

### FORMAL STAGE 2 COMPLAINT ABOUT Y/SCHOOL Z

Thank you for your letter dated .....

From your letter(s) it is clear that you are still unhappy with the situation. As a result I have decided to have the matter investigated as part of formal stage one of the school's complaints procedures.

You complain that :

*summary of complaint to be stated. State each point separately.*

I have completed my investigation and can offer the following response(s) on each of the points you have raised.

1. *Concerning your complaint that ....*
2. *Concerning your complaint that ....*

It is important that you are clear about what action the school has taken at each stage of the process so far:

If Informal stage then ...

*State what action was taken in response and the outcome of this.*

If Formal stage one ...

*State what investigative action was taken in response and the outcome of this, including any remedial action to be taken if complaint is upheld.*

I hope this response answers your concerns. Please let me know if you wish me to clarify any points.

In the meantime, if you are still not satisfied with my reply, there is a further stage of the complaints procedure that you can follow. This formal stage two is a review by an independent panel that will look at the way in which your complaint has been dealt with. The panel will not, however, rehear the whole case.

To go to the next formal stage two, you should write to the Chair of the Independent Panel within ten days of the receipt of this letter, giving your reasons why you wish to take your complaint further. If you are still not satisfied with the results of the formal stage two independent panel, you can complain to the local education authority who will carry out an investigation into the way in which your complaint has been handled.

Yours sincerely,

MARK JEFFERSON – HEADMASTER (Complaints Co-ordinator)



## MODEL CLOSURE LETTER FOR FORMAL STAGE 3 COMPLAINT – INDEPENDENT PANEL

Dear Mr and Mrs X,

### FORMAL STAGE 3 COMPLAINT ABOUT Y/SCHOOL Z

The panel met on ... date ... to hear your appeal regarding your complaint which can be summarised as follows:

#### **Brief description of complaint**

*Brief Overview*

#### **Legal or administrative background**

*State any legal or administrative background to the case, including any legislation relevant to the investigation.*

#### **The investigation**

Set out the key facts about the complaint, the findings and conclusions from the formal stage one and two investigations, and any continuing concerns.

#### **Conclusion**

Set out the findings of the independent panel

#### **Panel Decision**

Outcome of the decision

Please let me know if you wish me to clarify any points for you.

In the meantime, if you remain dissatisfied with the way in which your complaint has been dealt with, you can contact the Secretary of State for Education through the DfE website [www.education.gov.uk](http://www.education.gov.uk) or by writing to the following address:

The School Complaints Unit (SCU)  
Department of Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Yours sincerely,

**MR B EMERY – INDEPENDENT PANEL CONVENOR**



## Complaints Policy and Procedure: Declarations of interests form for Independent Complaints Panel Members

All interests that might unduly influence an individual’s judgement and objectivity in the conduct of DPSMN interests should be declared. **If in doubt, please declare all interests.**

Particular consideration should be given to interests involving payment or financial inducement or any reputational interest related to education that may be affected by the matters under discussion. The examples in the policy provide guidance as to the type of interest that needs to be declared.

The time period for relevant interests is 12 months before joining an advisory committee and for the duration of membership of the committee.

<b>Name:</b>	<b>Advisory committee:</b>
	<b>Date appointed:</b>
Interests to be declared:	
Signature	Date

**Data Protection Act 1998** – The information submitted will be held by the National Institute for Health and Care Excellence for personnel or other reasons specified on this form and to comply with the Institute’s policies. This information may be held in both manual and computer form in accordance with the Data Protection Act 1998. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000.