



## COMPLAINTS POLICY

<b>Version</b>	<b>1.4</b>
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<b>Last updated</b>	<b>September 2023</b>
<b>Review Date</b>	<b>September 2024</b>

### Record of Alterations

Version 1.0 Original  
Version 1.1 Alterations  
Version 1.2 Alterations  
Version 1.3 None

Approved by Chris Sellers

September 2023





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## 1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website. A concern is defined by the school as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought' A complaint is defined by the school as ' an expression of distraction however made , about actions taken or lack of action.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

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In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

### 3. Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 4. Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint. Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### 5. Roles and responsibilities

#### *The complainant*

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly



- Treat all those involved with respect
- Not publish details about the complaint on social media

### *The investigator*

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report which includes the facts and potential solutions
- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

## **6. Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

## **7. Time scales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

### ***Complaints about our fulfilment of early years requirements***

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.



Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## **8. Stages of complaint**

### ***Stage 1 – Informal Resolution***

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

If parents have a complaint they should normally contact their child's form teacher in the first instance. In many cases, the matter will be resolved at this level to the parents' satisfaction.

If the teacher cannot resolve the matter alone, it may be necessary for them to consult with a member of the School Senior Leadership Team at The Mount School.

Any complaints made directly to the Headteacher will usually be referred back to the relevant member of staff unless the Headteacher considers it more appropriate to deal with the matter personally. Should this be the case, the aim will still be to resolve the matter informally. However, the involvement of the Headteacher at this stage will be in exceptional circumstances.

Stage 1 complaints should be addressed within 7 working days from the point at which they are received. Where there are reasons which prevent this from happening, the staff member dealing with the complaint will notify the parents and provide an amended time frame.

A written record of all complaints will be kept (regardless of whether they are upheld) and this will include the date on which the complaint was received, the action taken and the outcome.

Should the matter not be resolved informally, despite the teacher's best efforts, then the parents are able to proceed with their complaint in accordance with Stage 2 of this procedure. Parents will have 7 working days from the point at which a response is received by the school to escalate the complaint to Stage 2.

### ***Stage 2 – Formal Resolution***

If it has not been possible to resolve the complaint informally, then the parents should put their complaint in writing to the Headteacher. The Headteacher will decide, after considering the complaint, the appropriate course of action to take including the person to take the lead in any investigation.



The Headteacher will respond to parents within five working days indicating how the school proposes to proceed.

It may be necessary for the Headteacher, or the person taking the lead, to carry out further investigations. If this is the case then written records will be kept of all meetings and interviews held in relation to the complaint.

Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, during the course of the investigation, a decision will be made in relation to the complaint within 10 working days from the date the complaint was received. Parents will be informed of the decision, and the reasoning behind it, in writing.

Where it is not possible to give a full reply within 10 working days, the Head/Principal will notify the parents and provide an amended time frame.

It is expected that a resolution will be reached at this stage and that parents will feel assured that all of their concerns have been fully and fairly considered. If, in extreme circumstances, parents are not satisfied with the process they are able to bring into play Stage 3 of this procedure.

Note: Should a parent wish to raise a complaint about the Headteacher, they should contact Chris Sellers: [chris.sellers@themount.org.uk](mailto:chris.sellers@themount.org.uk) Where there is a complaint against the Headteacher, the Director will appoint an investigator. These complaints will normally be dealt with within 15 working days of receiving the complaint.

### ***Stage 3 – Panel Hearing***

Where the parents are not satisfied with the response or process undertaken at Stage 2, the parents will be instructed to write to the school within 7 working days of receipt of the Stage Two decision, setting out the reasons for dissatisfaction with the handling of the complaint at Stages One and Two.

School will acknowledge receipt of the Stage 3 complaint and will schedule a hearing to take place as soon as practicable and normally within 30 working days of receiving the Stage 3 complaint.

The Complaints Panel will be appointed by the Directors and at least one of the three members shall be independent of the management and running of the school. The members of the Complaints Panel will have no connection to the pupil or the family concerned and will not have been directly involved in the matters detailed in the complaint.

If the Chair of the Complaints Panel deems it necessary, s/he may require that further particulars of the complaint and any relevant documents or records be supplied in advance of the panel meeting.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation is not permitted. Recordings of hearings are not permitted.



If possible the Complaints Panel will resolve the parents' complaint immediately without need for further investigation.

A written record of the proceedings will be taken.

After due consideration of all facts considered relevant, the Panel will reach a decision and make recommendations, which it shall complete within 10 working days of the hearing.

The Panel will write to the parents informing them of their decision and the reasons for it.

The Panel's findings and recommendations will be sent in writing to the complainant, the Headteacher and, where relevant, the person about whom the complaint was made. A copy of any complaint and findings/recommendations will be held confidentially and made available for inspection in the school by the proprietor and by inspectors on request.

This exhausts the complaints procedure after the decision has been communicated in writing. The decision of the Complaints Panel is Final.

### **9. Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as





an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible. If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

### ***Stopping responding***

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### ***Duplicate complaints***

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again. Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website



- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply:

Contact details for inspectorates:

The Independent School Inspectorate: CAP House, 9-12 Long Lane, London, EC1A 9HA

Ofsted: Picadilly Gate, Store Street, Manchester, M1 2WD

Complaints from groups of parents linked to the leadership team and/or management style will not be heard collectively. Confidentiality must be maintained for each individual complaint.

## **10. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

## **11. Learning lessons**

The Directors will review any underlying issues raised by complaints with the Head Teacher and senior leadership team where appropriate, and respecting confidentiality, will determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## **12. Monitoring arrangements**

The Directors will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will also track the number and nature of complaints, and review underlying issues as stated in section 11. The complaints records are logged and managed by the Head Teacher and the Directors.