



HALSTEAD ST ANDREW'S
SCHOOL

COMPLAINTS PROCEDURE FOR PARENTS POLICY Including EYFS

Policy History		
Review cycle	Annual	
Last Review Date	Autumn 2022	TB, SM + FGB
Updated Date	Autumn 2023	Head, Bursar + FGB
Next Review Date	Autumn 2024	Head, Bursar and FGB

Introduction

Halstead St Andrew's ('The School') prides itself on the quality of the teaching and pastoral care provided to its pupils. If, however, parents do have a complaint, they can expect the school to treat it with care and in accordance with this procedure. The School's complaints and concerns procedure is made available to all parents of pupils and of prospective pupils on the school's website and in the school office during the school day. 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 the form in which it is published or available. In the event of a complaint, the school will look beyond the immediate concern to ensure that it does not represent a deeper problem that needs to be addressed.

In accordance with Independent School Standards Regulations and the Early Years Statutory Framework, The School will make the complaints procedure available to parents of pupils and prospective pupils. Details of the complaints procedure and the number of complaints registered under the formal process will be made available to the Independent Schools Inspectorate (ISI) or other appropriate regulatory bodies.

What Constitutes a Concern or Complaint?

A concern or 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, incident or event. A complaint is likely to arise if a parent believes that the school has done something wrong, or failed to do something that it should have done or acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The school is here for your child and you can be assured that your child will not be penalised for a concern or complaint that you or your child raises in good faith.

Complaints which may constitute concerns about abuse will be considered under the Child Protection and Safeguarding policy in the first instance.

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. The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under clause 8.11 of the School's Terms and Conditions of Contract in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

This complaints procedure does not apply to matters which have been dealt with under the procedures set out in our Behaviour Management Policy or to the termination of the parent contract in accordance with its terms.

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 son/daughter's Form teacher. In many cases the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form teacher cannot resolve the matter alone, it may be necessary for him/her to consult a head of department/the Deputy Head or the Head.

Complaints made directly to a head of department/the Deputy Head/the Head will usually be referred to the relevant Form teacher unless the head of department/the Deputy Head/the Head deems it appropriate for him/her to deal with the matter personally.

The Form teacher will make a **written record of all concerns and complaints and the date on which they were received**. Should the matter not be resolved within 7 days (5 working days) or in the event that the Form teacher 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.

- A complaint against the Head should be made directly to the Chair of Governors via the school office or email Simon Brookhouse sbrookhouse-gov@hsaschool.co.uk>
- Due regard should be given to the AGBIS 'practical guidance for handling verbal complaints' in appendix 1.

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/speak to the parents concerned, **within 3 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 his/her decision. In most cases the Head will make his 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, with reasons for his/her 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 will be referred to The Chair of Governors or Vice Chair of Governors as appropriate 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 three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school. 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 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 normally not later than 7 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. 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.

A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parent complainant, and, where relevant, the person complained about as well as the Chair of Governors and the Head, within 7 working days of the hearing.

The decision of the Panel will be final. 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 this policy.

Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively and within clear and reasonable timescales.

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 working days during term time and as soon as practicable in holiday time**. Stage 3, the Appeal Panel Hearing, will be completed **within a further 28 working days during term time and as soon as practicable during holiday periods**.

Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term time excluding bank holidays and half term. 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. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

All complaints regarding delivery of the Early Years Foundation Stage (EYFS) will be completed within 28 days.

Recording Complaints and use of personal data

Recording Concerns or Complaints

- Following resolution of a complaint, the school will keep a written record of all complaints (including informal complaints to enable patterns of low-level concern to be monitored) and whether they are resolved at the preliminary stage or proceed to a panel hearing. Also, details of action taken by the school as a result of those complaints, whether or not they are upheld. At the school's discretion, additional records may be kept which may contain the following information:
 - Date when the issue was raised
 - Name of parent
 - Name of pupil
 - Description of the issue
 - Records of all the investigations (if appropriate)
 - Witness statements (if appropriate)
 - Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations) Records of complaints which do not have safeguarding implications will be retained for a minimum of 7 years. In complaints with a safeguarding angle, records concerning allegations of abuse will be kept for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of allegation if it is longer. Halstead has received no complaints involving safeguarding concerns to date.
- Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by the Independent Schools Standards (England) Regulations by the Secretary of State or where disclosure is required by any other legal authority, including Ofsted.

If they wish, parents may also complain directly to:

- ISI on Tel. No. 0207 710 0100 or email concerns@isi.net
- DfE/Ofsted at <https://www.gov.uk/complain-about-school/private-schools>
- The number of complaints for the previous academic year is available, on request, via the Head' PA.

Ratified by:

Date: November 2023

Simon Brookhouse, Chair of Governors