



## **POCKLINGTON SCHOOL FOUNDATION**

### **Complaints Policy**

Also refer to:

- Pocklington School Parent/School Agreement
- Pocklington School Rules, 'Enquiries and Grievances'
- Handbook for the Inspection of Schools: Commentary on The Regulatory Requirements, Part 7 (September 2018)
- Boarding Schools: National Minimum Standards (April 2015)
- Early Years Foundation Stage: Statutory Framework (April 2017)

#### General

1. This document expands on the above references, detailing the procedures that the school will follow on receipt of a complaint from a parent or guardian of a pupil (for ease of use, all are referred to as "parent" in this document).
2. The Complaints Procedure is available to all parents. All staff should refer to the Grievance Procedure
3. The school of course hopes that complaints will not arise. Nonetheless if a parent is concerned about a matter, it is much better for all parties that the concern should be made known quickly.
4. A complaint is defined as any matter about which a parent of a pupil is unhappy and seeks action by the school.<sup>1</sup> In this regard, there is no distinction between a "concern" and a "complaint".
5. All timescales set out in the Policy refer to working days during term time. However, the School will make every effort to progress complaints outside of term time.
6. The School will make every effort to meet the timescales set out in this Policy. If, for any reason, it is not possible to do so the School will communicate a revised timetable to the parent concerned together with any reason for the delay.
7. The School will at all times respond to complaints transparently and fairly. Where transparency may be compromised, for reasons outlined elsewhere in this policy, so far as possible the School will communicate the reasons for a lack of disclosure to the complainants.

8. The School will treat all confidential information appropriately. It is important that participants in the investigation of a complaint feel able to give a full and honest account of events.
9. As set out in the School's Terms & Conditions, except as required by law, the School and its staff will not disclose confidential information. In many cases, the School will be under a specific legal obligation not to disclose such information.
10. This means that documents relating to the investigation of a complaint such as correspondence, meeting/interview notes, disciplinary records and other documents containing confidential, personal or sensitive information (such as those which identify an interviewee) will not generally be made available to parents in relation to a complaint they have raised. The relevant decision-maker(s) in the complaints process will have access to all relevant documents and parents will be provided with a copy of the final decision and the reasons for that decision.
11. For more information about the School's use of personal information and its related legal obligations, please refer to the Privacy Notice (available on the School's website).
12. Well-being related and/or Safeguarding Incidents. It is inevitable that some incidents or issues will be of more general interest and concern to others not directly involved. Well-being related and/or safeguarding incidents (including bullying) may occur in the school. For reasons of confidentiality and for the welfare of the children involved, the School's response and subsequent actions to address these issues will not be shared until it is appropriate to do so. The School will act appropriately and robustly however the general school community may not necessarily be aware of the actions it has undertaken. Apart from those external agencies which we must inform and consult, third parties will not be informed what steps are being taken in an individual case.

We seek to establish an understanding of and confidence in our safeguarding practices by outlining our likely approach and the constraints placed upon us to reassure all parties that we will act appropriately in respect of an individual case. We do this by sharing how we deal with safeguarding incidents with pupils and parents through the publication of policies, induction, talks, assemblies and lessons, especially PSHE.

### **Procedures**

13. There are three stages to the process of dealing with a complaint.

#### **Stage 1: Informal**

14. Parents are encouraged to make their concerns known, verbally or in writing, to an appropriate member of staff at the school<sup>1</sup>. In the first instance this will normally be to a Head of Pastoral Division, Housemaster/mistress or to a Head of Department, but could be to a tutor or classroom teacher. At Pocklington Prep School, this could be any appropriate member of the teaching staff.
15. Should an informal complaint be made to the Headmaster, he will consider whether he should deal with the complaint or whether to refer the complaint to a colleague, usually a senior Foundation manager, to address. In all cases the complaint will be taken seriously and the Headmaster's decision about who should consider the complaint will be based on the

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<sup>1</sup> All pupils may also of course write to complain to whom they wish. Upon receipt of a complaint from a pupil, the procedures set out above will be implemented, from para 14. Under normal circumstances the school will contact the pupil's parents to involve them in the complaint process and to seek their views.

circumstances including the skills and experience required to consider the complaint and any potential need for the Headmaster to retain oversight and make decisions in line with the Foundation's policies at a later stage. Either he or the nominated colleague will meet with the complainant to discuss and hopefully resolve the issue. If a complaint cannot be resolved informally via this route, then the complainant should lodge a formal complaint in writing to the Headmaster. This will then be dealt with in accordance with Stage 2 below.

16. Financial matters may be referred directly to the Bursar.
17. If the complaint is against the Headmaster, parents should refer their complaint (whether informal or formal) directly to the Chairman of Governors.
18. Any complaint (whether informal or formal) concerning the Board of Governors, any individual Governor or the Chairman of Governors, should be directed to the Clerk to the Governors.
19. It is hoped that most complaints will be resolved quickly and informally. The School will respond to an informal complaint within **two days** even if it is only to acknowledge and provide a further response time, which will be up to seven days in most cases.
20. Although all Formal complaints will be made in writing, this does not mean that the Formal Stage is automatically triggered whenever a concern is expressed in writing, for example, by email. Complaints will only progress to the Formal Stage after first being considered at the Informal (preliminary) stage and only then if the complainant explicitly intends to escalate a matter to the Formal Stage.
21. Any accrued records of Informal Complaints will be kept on the pupil's file.

**Stage 2:        Formal**

22. If parents remain concerned or dissatisfied with the handling of the complaint, the matter should be referred **in writing** to a member of staff at a senior level of authority. In Pocklington School, this could be to the Headmaster, Deputy Head, Pastoral Director, Curriculum Director, or Co-Curriculum Director. At Pocklington Prep, this could be the Head of Pocklington Prep, Deputy Head/Head of Pre-Prep, Assistant Head (Curriculum), Assistant Head (Co-Curriculum)
23. The school keeps a **central record** of Formal complaints and their outcomes whether they are resolved following a Formal procedure, or proceed to a panel hearing; and any action taken by the School as a result of those complaints (regardless of whether they are upheld). All records of Formal complaints (**including EYFS**) are kept for at least three years. Those complaints related to Boarding are differentiated.
24. Parents may also refer any matter **in writing** directly to the Headmaster of Pocklington or Head of Pocklington Prep School if they remain dissatisfied after referral to other members of staff.
25. In most cases a Senior Manager will meet to discuss the matter with the parents concerned as soon as possible, normally within **seven days** of receiving the complaint. If possible, a resolution will be reached at this stage.

26. It may be necessary to carry out further investigations.
27. The School will keep **written records** of all meetings and interviews held in relation to the complaint.
28. Once the School is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision including the reasons for the decision in writing. **The timescale** will occur as soon as is practicably possible and within 28 days.
29. **EYFS:** Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation **within 28 days**. The record of such complaints will be made available to Ofsted and ISI on request.
30. If parents remain dissatisfied after consideration by the School, they may choose to refer the matter **in writing** to the Chairman of Governors, following which the Chairman of the Governors will consider the matter and reply to the parents in writing as soon as possible and **normally within 14 days**. Alternatively, parents may formally request **in writing** that the complaint be heard under Stage 3 by the **School's Complaints Panel**. If parents refer to the Chairman of Governors and remain dissatisfied they may subsequently refer the matter to the School's Complaints Panel.

*Please note that if a parent who is not satisfied with the School's response to their complaint at Stage 2 and indicates a wish to continue to Stage 3, for compliance purposes the Panel Hearing should go ahead unless the parent later indicates he or she is now satisfied and does not wish to proceed further. Panel Hearings should, therefore, proceed, notwithstanding that a parent may subsequently decide not to attend. If necessary, the Panel should consider the parent's complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. The requirement for the Panel to proceed does not prevent the School from accommodating parental availability for dates or considering comments concerning Panel composition.*

31. If the complaint is against the Headmaster the Chairman of Governors will call for a full report from the Headmaster, and all the relevant documents. The Chairman will 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 Chairman 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, normally within 14 days, but this timing will be flexible, and with the understanding of the complainant, will occur as soon as is practically possible.
32. Complaints from parents concerning the process by which a pupil has left the School due to a permanent exclusion (see Rewards and Sanctions Policy) will be referred directly to Stage 3 below (Panel Hearing).

**Stage 3: Panel Hearing**

33. The School Complaints Panel will consist of both male and female members who were not directly involved in the matters detailed in the complaint, at least three people including two governors (not including the Chairman of Governors) and an independent member who is not

involved in the governance or management of the school. Governors who are also parents should not be members of the panel. The DFE gives the following guidance:

34. *'Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.'*
35. A panel hearing will normally take place **within 14 days** of the parental request. During this time panel members may request further information. Evidence should be submitted to the Clerk of the Governors no later than three days before the hearing and copied to all parties. The panel's note taker should not be the Bursar.
36. The parents may attend and be accompanied at the hearing, normally by one other person. This may be a relative, friend or a legal representative. Parents should inform the panel who will be attending not **later than 7 days** prior to the hearing.

#### Panel Decision.

37. If possible, the panel will resolve the parents' complaint immediately without the need for further investigation.
38. Where further investigation is required, the panel will conduct enquiries as appropriate. After due consideration, and **normally within 14 days** of the hearing, the panel will send its findings and recommendations in writing or via electronic mail to the parents (complainant), copying the letter to the Chairman of Governors, the Headmaster and any other relevant persons, including the person complained about (where relevant). The findings may include a decision about a matter, advice or recommended action. The decision of the panel will be final. Findings will be available for inspection on the school premises by the Headmaster or Chairman of Governors.
39. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. 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 2008 Act requests access to them.
40. Complaints will be resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils.
41. Parents of Boarding pupils may contact ISI with any complaints or concerns they may have with regard to boarding welfare. Due consideration is given to Standard 18 of the National Minimum Standards for Boarding Schools (April 2015). This also applies to parents of EYFS children, who may contact ISI with any concern they may have with regard to their child at:

Address: Independent Schools Inspectorate  
CAP House  
9-12 Long Lane  
London  
EC1A 9HA

Email: [info@isi.net](mailto:info@isi.net) or [concerns@isi.net](mailto:concerns@isi.net)

Tel: 020 7600 0100

Parents of EYFS children may also complain directly to Ofsted who can be contacted on 0300 123 4234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

42. Also available is the East Riding Safeguarding Children's Board, Local Authority Designated Officer (LADO), Mr T Marsh or Ms L Wilson, tel: 01482 396999 or 01482 392139, or via the Early Help and Advice Hub: tel: 01482 395500 ([childrens.socialcare@eastriding.gcsx.gov.uk](mailto:childrens.socialcare@eastriding.gcsx.gov.uk)). Ofsted may be contacted on 0300 1234 234 [enquiries@Ofsted.co.uk](mailto:enquiries@Ofsted.co.uk)
43. The school keeps a central record of Formal complaints and their outcomes whether they are resolved following a Formal procedure, or proceed to a panel hearing; and any action taken by the School as a result of those complaints (regardless of whether they are upheld). All records of Formal complaints (including EYFS) are kept for at least three years. Those complaints related to Boarding are differentiated.
44. The Headmaster will brief the Chairman of Governors on a termly basis with the records of Formal complaints and any consequential patterns. Termly reports to Governor Board Meetings will then occur.
45. The record of complaints is available to Ofsted and ISI on request.
46. For the School Year 2017/18 there were 11 Formal complaints to the Foundation of which none were concerned with Boarding, two at the Prep School and none at EYFS; and there was one Formal Panel Hearing. For the School Year 2016/17 there were 5 Formal complaints to the Foundation of which none were concerned with Boarding, two at the Prep School and none at EYFS; and there were no Formal Panel Hearings. For the School Year 2015/16 there were 19 Formal complaints to the Foundation of which none were concerned with Boarding, eight at the Prep School and none at EYFS; and there were no formal panel hearings. For the School Year 2014/15 there were 13 Formal complaints to the Foundation of which none were concerned with Boarding, two at the Prep School and none at EYFS; and there were no Formal Panel Hearings.

*Reviewed November 2013, Assistant Head (Boarding and Pastoral)*

*Reviewed July 2014, Boarding and Pastoral Coordinator*

*Reviewed January 2015, Boarding and Pastoral Coordinator*

*Reviewed June 2015, Boarding and Pastoral Coordinator*

*Reviewed September 2015, Boarding and Pastoral Coordinator*

*Reviewed November 2015, Boarding and Pastoral Coordinator and the Headmaster*

*Reviewed September 2016, Headmaster*

*Reviewed October 2016, Headmaster*

*Reviewed January 2017, Headmaster*

*Reviewed November 2017, Headmaster*

*Reviewed December 2017, Headmaster*

*Reviewed November 2018, Headmaster*

*Reviewed February 2019, Headmaster*

*Reviewed February 2020, Headmaster*