



# Policy

## Complaints Policy and Procedures

### Introduction

The aim of this document is to set out the manner in which complaints are dealt with. Oakham School has long prided itself on the quality of the teaching and pastoral care provided to its pupils and the care it has for the wider community. However, if parents or pupils do have a complaint, they can expect it to be treated by the School with care and in accordance with this policy. The Complaints Policy is available to all parents of pupils and of prospective pupils on the School's website as well as in the Red Book. The procedure for pupils is published in the Student Organiser. When a complaint is raised, a copy of the policy is routinely sent to parents, but can also be requested from the school office.

All concerns and complaints will be treated seriously and dealt with sympathetically, effectively and appropriately. Every effort will be made to ensure that complaints are resolved as quickly as possible in a positive way with the aim of putting right some aspect of school life which may have gone wrong. Where necessary, the School's systems and practices will be reviewed in light of the circumstances leading to the complaint.

This policy and its procedures have been approved by the Headmaster and Trustees and have been drawn up with regard to and in compliance with Schedule 1, Part 7 of the (Independent School Standards, England) Regulations 2014 and NMS Standard 18.

The procedures set out below may be adapted as appropriate to suit the circumstances of each particular case. Some of the procedures can only be carried out during term time.

Separate procedures apply in the event of a complaint or concern regarding a child protection/safeguarding issue; details of these procedures are available from the Child Protection Policy. Appeals against the expulsion of a pupil are covered in the Exclusion Policy.

### **What Constitutes a Complaint?**

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. A complaint is likely to arise if someone believes that the School has done something wrong, failed to do so something that it should have done, or acted unfairly.

Parents and pupils are assured that a parent and/or pupil will not be penalised for a complaint that is raised in good faith.

## **Timescales**

The School should be informed as soon as possible if there is any cause for dissatisfaction and all concerns and complaints will be addressed in a timely fashion. Timescales for each stage are set out below. Reference to “working days” means Monday to Friday during term time. The dates of School terms are published on the School’s website and in the termly School Calendar.

## **Procedure for Parents**

This procedure may only be used by the parents of current pupils. Complaints by parents of former pupils will be dealt with under this procedure only where the complaint was initially raised when the pupil to which the complaint was raised was still registered at the School.

### **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 periods. It is in everyone's interest to resolve a complaint as speedily as possible, the school's target for dealing with complaints is as follows:

- To complete the first two stages of the procedure within 20 working days if the complaint is lodged during term-time, and as soon as practicable during holiday periods.
- To complete Stage 3, the Appeal Panel Hearing, within a further 20 working days, if the appeal is lodged during term-time, and as soon as practicable during holiday periods.

In relation to all complaints, parents will be kept informed where the School requires reasonable additional time for investigations to be carried out.

### **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. 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)

Correspondence, statements and records relating to individual complaints are to 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.

## **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 or daughter's Housemaster/Housemistress, Head of Department or Tutor as appropriate. In many cases, the matter will be resolved straightaway by this means to the parent's or pupil's satisfaction.
- Complaints made directly to another member of staff will usually be referred to the relevant Housemaster/Housemistress, Head of Department or Tutor unless the member of staff deems it appropriate for him/her to deal with the matter personally.
- Housemaster/Housemistress, Head of Department or Tutor will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved to the satisfaction of the parent within 5 working days then they will be advised to proceed with their complaint in accordance with stage 2 of this procedure.
- A complaint made directly to the Headmaster may still be resolved at an informal stage.
- If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Trustees. Please refer to stage 2 for the relevant contact details.

## **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. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases the Headmaster will acknowledge the complaint, in writing, within 5 working days of receiving the complaint. He may wish to speak to or meet with the parents 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. This investigation might be delegated to a member of the Senior Leadership Team.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster 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 Headmaster will also give reasons for his decision.
- If the complaint is against the Headmaster, the parents should refer it to the Chair of Trustees, Professor Neil Gorman, by emailing [ng@oakham.rutland.sch.uk](mailto:ng@oakham.rutland.sch.uk).
- The Chair of Trustees will call for a full report from the Headmaster and for all the relevant documents. The Chair 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 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. The Chair or their nominee will give 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 Chair of Trustees who has the responsibility to call hearings of the Complaints Panel. [If the Chair of Trustees has already been involved earlier in proceedings, parents will be referred to the Deputy Chair of Trustees.]

- 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, one of whom shall be independent of the management and running of the School. The Chair [or Deputy Chair], on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 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 5 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. Unless the parents indicate that they are now satisfied with the stage 2 resolution, the Panel hearing will go ahead notwithstanding that the parents may decide not to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel. After due consideration of the all the facts they consider relevant the Panel will make findings and may make recommendations.
- 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.
- The Panel will write to the parents informing them of its decision and the reasons for it, normally within 5 working days of the hearing. 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 as well as the Chair of Trustees and the Headmaster.
- It is not within the powers of the Panel to make any financial award, nor impose sanctions on staff, pupils or parents, although they may recommend these actions to the Headmaster or Trustees.

*It is a requirement of the Independent Schools' Regulations that schools publish the number of complaints in the previous academic year that required a Panel Hearing.*

*During the 2020-21 academic year the number of complaints at Oakham School requiring a Panel Hearing = 0*

## **Procedure for Pupils**

### **Informal complaints**

The guiding principle for pupils is for them to feel comfortable in raising an issue about which they are uncomfortable or upset.

Pupils are therefore encouraged to raise concerns; this would normally be through their tutor or Housemaster/mistress but may be through another pupil, prefect, or another member of staff. Concerns and complaints will always be treated seriously and no pupil will be in any way penalised for making a complaint.

### **Formal complaints**

Where discussion with friends, staff or others, has proved ineffective, or where the severity of the episode merits it, pupils may wish to make a formal complaint. A formal complaint should be clearly labelled as such as should follow this procedure:

- Write to the Senior Deputy Head making it clear that you are making a formal complaint. Your complaint will then be registered.
- The Senior Deputy Head will make the Headmaster aware that there is a formal complaint and will reply within two working days of receiving the complaint.
- A meeting will then be arranged to discuss the matter. The pupil raising the complaint will normally be accompanied by their Housemaster or Housemistress, but may also request for another member of staff or pupil to be present.
- After the meeting the pupil will be kept informed of any decisions or developments.

Pupils who are dissatisfied with the outcome may of course take their complaint to the Headmaster or to their parents to resolve the matter.

## **Procedures for External Parties**

Complaints from external parties such as visiting schools and members of the public will be directed to the Senior Deputy Head. The Senior Deputy Head will aim to resolve these complaints through dialogue, over the phone or in person. Where an issue cannot be resolved informally, the Senior Deputy Head will refer the matter to the Headmaster who may decide to address the complaint as per Stage 2 and 3 of the Parental Complaints policy.

## **Anonymous Complaints**

The School will try to trace anonymous complaints, and record them in the Complaints Log.

The only exception to this is when the complaint raises concerns about serious breaches of school policies or about potential risks to pupils and staff, in which case a general investigation will be undertaken. In this case all appropriate steps will be taken to investigate the complaint thoroughly and remedial action will be taken where this is considered necessary. However, it may not be possible to follow fully the procedures set out below.

Where an anonymous complaint is considered by the Headmaster to be frivolous, vexatious or presents no grounds for an investigation, then the decision to take no further action will be recorded in the Complaints Log.

## **External Authorities and Organisations**

In the event of dissatisfaction with the above actions, the complainant may refer the matter to the Office for Standards in Education (Ofsted) or to the Independent Schools Inspectorate (ISI). The contact details for these organisations are as follows:

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

[www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

0300 1231231

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

[www.isi.net](http://www.isi.net)  
[concerns@isi.net](mailto:concerns@isi.net)

0207 600 100

## **Monitoring and Review of Complaints Policy and Procedures**

The Board of Trustees will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.

The number of formal complaints registered under the complaints procedure during the preceding school year is available from the Headmaster by request.

HWFP February 2022

Review date September 2022