



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
- Boarding Schools: National Minimum Standards
- Early Years Foundation Stage: Statutory Framework

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 Pocklington School Foundation comprises Pocklington School, Pocklington Prep School and Pre-School at Pocklington Prep School ("Foundation" or "School")
3. The Complaints Procedure is available to all parents. All staff should refer to the Grievance Procedure.
4. 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.
5. A complaint is defined as any matter about which a parent of a pupil is unhappy and seeks action by the School.¹ In this regard, there is no distinction between a "concern" and a "complaint".
6. 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.
7. 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.
8. 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.
9. 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.



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10. 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.
11. 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.
12. 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).
13. If an anonymous complaint is received, this will be directed to an appropriate member of the School's management team to consider the complaint and assess whether any action is required to investigate the complaint.
14. 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 Personal, Social, Health and Economic ("PSHE") lessons.

PROCEDURES

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

STAGE 1: **INFORMAL**

16. Parents are encouraged to make their concerns known, verbally or in writing, to an appropriate member of staff at the School¹. 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.

¹ 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 15. Under normal circumstances the school will contact the pupil's parents to involve them in the complaint process and to seek their views. If a pupil submits a complaint and is aged 13 years or older, the School will ask their permission before sharing the details of their complaint with their parents. This is in line with General Data Protection Regulation ("GDPR") requirements.



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17. 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 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.
18. Financial matters may be referred directly to the Bursar.
19. If the complaint is against the Headmaster, parents should refer their complaint (whether informal or formal) directly to the Chair of Governors.
20. Any complaint (whether informal or formal) concerning the Board of Governors, any individual Governor or the Chair of Governors, should be directed to the Clerk to the Governors.
21. 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.
22. Although all Formal complaints must 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.
23. Any accrued records of Informal Complaints will be kept on the pupil's file.

STAGE 2: FORMAL

24. 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 or one of the Deputy Heads. At Pocklington Prep School ("Prep School"), this could be the Head of Pocklington Prep, Deputy Head/Head of Pre-Prep, Assistant Head (Curriculum) or the Assistant Head (Co-Curriculum). This should be done **within 14 days** of the receipt of the decision from Stage 1.
25. 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 Early Years Foundation Stage ("EYFS")**) are kept for at least seven years (this will be longer for any complaints involving safeguarding, and in line with the prevailing requirements at that time). Those complaints related to Boarding are differentiated.
26. Parents may also refer any matter **in writing** directly to the Headmaster or the Head of the Prep School if they remain dissatisfied after referral to other members of staff.



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27. 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.
28. It may be necessary to carry out further investigations.
29. The Foundation may, at times, choose to progress a concern as a formal complaint, even when the complainant does not specify this as their wish. This may arise when the Foundation feels a matter is of such significance or import that it warrants such an approach.
30. The School will keep **written records** of all meetings and interviews held in relation to the complaint. The "General" section above provides further information about the treatment of documents relating to the investigation of a complaint. 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**.
31. **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 the Office for Standards in Education ("Ofsted") and Independent Schools Inspectorate ("ISI") on request.
32. If parents remain dissatisfied after consideration by the School, they may choose to refer the matter **in writing** to the Chair of Governors **within 14 days** of their receipt of the decision from stage 2. The Chair of 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 Chair 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, if the parent later indicates they do not wish to proceed further, the Chair of Governors should consider whether the Panel Hearing should go ahead. Panel Hearings may, therefore, proceed, notwithstanding that a parent may subsequently decide not to attend. Where this applies the Panel may consider the parent's complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. This does not prevent the School from accommodating parental availability for dates or considering comments concerning Panel composition.
33. If the complaint is against the Headmaster the Chair of Governors ("Chair") will call for a full report from the Headmaster, and all the relevant documents. The Chair 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 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, 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.
34. Complaints from parents concerning the process by which a pupil has left the School due to a permanent exclusion (see Behaviour Policy) will be referred directly to Stage 3 below (Panel Hearing).



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STAGE 3: PANEL HEARING

35. Where a parent requests that a complaint is heard under Stage 3, they will be asked to confirm if they have not already done so: which elements of the Stage 2 decision they wish to appeal; the grounds for this; any documents they wish the panel to consider; and the desired outcome.
36. The School Complaints Panel (“the 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 Chair 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 Department for Education (“DfE”) gives the following guidance:
 37. *‘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.’*
38. 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 seven days before the hearing. The panel’s note taker should not be the Bursar.
39. The parents may attend and be accompanied at the hearing, normally by one other person. A legal representative is not usually appropriate. Parents should inform the panel who will be attending not **later than 7 days** prior to the hearing.

PANEL DECISION

40. If possible, the panel will resolve the parents’ complaint immediately without the need for further investigation.
41. 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 Chair 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 Chair of Governors.
42. 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 disclosure is required by law, including where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them.
43. Complaints will be resolved either to the complainant’s satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils.



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44. 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. To contact ISI please refer to <https://www.isi.net/contact>.

Parents of EYFS children may also complain directly to Ofsted. More information and contact details can be found at <https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure#:~:text=To%20complain%20about%20a%20childcare,and%20decide%20what%20to%20do>.

45. Also available is the East Riding Safeguarding Children's Board, Local Authority Designated Officer ("LADO"). Please refer to <https://www.erscp.co.uk/reporting-concerns/> for information on how to report any concerns.

46. 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 seven years (this will be longer for any complaints involving safeguarding, and in line with the prevailing requirements at that time). Those complaints related to Boarding are differentiated.

47. The Headmaster will brief the Chair 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.

48. Timescales All timescale given within the policy will be adhered to as far as practicably possible. Flexibility will be provided for all parties under extenuating circumstances which may have impeded the progress of a complaint/investigation.

49. Managing Serial and Unreasonable Complaints The Foundation is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our School. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

(a) The Foundation defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as, if the complainant:

- i. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- ii. refuses to co-operate with the complaints investigation process
- iii. refuses to accept that certain issues are not within the scope of the complaints procedure
- iv. insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice



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- v. introduces trivial or irrelevant information which they expect to be taken into account and commented on
 - vi. raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
 - vii. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
 - viii. changes the basis of the complaint as the investigation proceeds
 - ix. repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
 - x. refuses to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed
 - xi. seeks an unrealistic outcome
 - xii. makes excessive demands on School time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
 - xiii. uses threats to intimidate
 - xiv. uses abusive, offensive or discriminatory language or violence
 - xv. knowingly provides falsified information
 - xvi. publishes unacceptable information on social media or other public forums.
- (b) Complainants should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.
- (c) Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- (d) If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Foundation causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.
- (e) 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 the Foundation.

50. The record of complaints is available to Ofsted and ISI on request.

51. Pocklington School Foundation's record of Formal Complaints Sage 2 and above are at Appendix 1.



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REVISIONS

Reviewed November 2018, Headmaster

Reviewed February 2019, Headmaster

Reviewed February 2020, Headmaster

Reviewed August 2020, Headmaster

Reviewed November 2020, Headmaster

(Updated Lent 2021 – Formal Complaints numbers)

(updated May 2021 – Formal Complaints numbers)

(Updated June 2021 – Formal complaints numbers)

(Updated November 2021 – Formal Complaints numbers)

(Updated January 2022 – Formal Complaints numbers)

(updated June 2022 – Formal Complaints numbers)

(updated October 2022 – Formal Complaints numbers)

(updated November 2022 – Formal Complaints numbers)

Reviewed January 2023, Bursar and Headmaster



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APPENDIX 1 – FORMAL COMPLAINTS

Pocklington School Foundation Review of Formal Complaints Stage 2 and Above @ 15/11/22							
Formal Complaints							
Term	School	2017 -2018	2018 - 2019	2019 - 2020	2020 - 2021	2021-2022	2022-23
Michaelmas	Pocklington	2	2	1	1	2 (6 parents)	0
	Prep	1	0	1	0	0	1
Lent	Pocklington	1	2	0	0	2	
	Prep	1	0	0	0	0	
Summer	Pocklington	6	4	0	1	1	
	Prep	1	0	0	1	0	
Total		12	8	2	3	5	1
Figures below are included in the data above							
	School	2017 -2018	2018 - 2019	2019 - 2020	2020 - 2021	2021 -2022	2022-23
Boarding	Pocklington	0	0	0	0	0	0
	Prep	0	0	0	0	0	0
EYFS		1	0	0	0	0	0
Formal Panel Hearings							
	School	2017 -2018	2018 - 2019	2019 - 2020	2020 - 2021	2021 - 2022	2022-23
Formal Panel Hearing	Pocklington	1	1	0	0	0	0
	Prep	0	0	0	0	0	1*
Total		1	1	0	0	0	1
						* Happening in November	