

## Complaints Procedure

This policy is applicable to all pupils, including those in EYFS.

### **Complaints Policy**

The School welcomes suggestions and comments and takes seriously complaints and concerns that may arise. Many concerns that pupils and you have do not necessarily call for complaint, however they should still be brought to the school's attention. Help can only be given about issues that are known. This policy is available to the parents of pupils (via the website and on request).

A complaint will be treated as an expression of genuine dissatisfaction, which needs a response. The school will endeavour to deal with complaints within a reasonable time and in a courteous and efficient way, and where appropriate, will take action. It is the school's policy that complaints will not be mentioned to the child involved nor will they rebound in anyway on the child.

### **SCOPE OF THIS COMPLAINTS PROCEDURE**

This procedure applies to parents of current pupils enrolled at the School. It does not apply to parents of pupils who have left the School, except in circumstances where the complaints process was started when the pupils was still being educated at the School. This procedure does not apply to parents of prospective pupils. This procedure does not apply to pupils.

### **HOW SHOULD I CONTACT THE SCHOOL?**

You can arrange to talk to the appropriate member of staff, write a letter, telephone or email the School.

- Telephone messages can be left with Reception who will pass your message onto the relevant member of staff.
- Tel: 01367 870700 or email [reception@st-hughs.co.uk](mailto:reception@st-hughs.co.uk)
- You can contact staff directly via email. Staff email addresses: surname followed by first initial @st-hughs
- The Headmaster can be contacted by phone and email. The Headmaster's telephone number is 01367 870702. The Headmaster's email address is [headspa@st-hughs.co.uk](mailto:headspa@st-hughs.co.uk)
- The Chair of Governors can be contacted by emailing the Clerk to the Governors. The Clerk's phone number is 01367 870700 x705 and the email address is [chair@st-hughs.co.uk](mailto:chair@st-hughs.co.uk)

**WHAT WILL HAPPEN?** We will always try to resolve concerns or complaints to your satisfaction. If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction. In some circumstances, the person may need time to discuss the issues with others before informing you of an outcome.

**ANONYMOUS COMPLAINTS**

We will not normally investigate anonymous complaints. However, the Headmaster or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. Where a complaint relates to a 'whistle blowing' matter, it will be investigated in line with Whistle Blowing Policy.

**TIME SCALES**

Parents must raise the complaint within three calendar months of the incident or, where a series of associated incidents have occurred, within three calendar months of the last of these incidents. The School will consider complaints made outside of this time frame, if exceptional circumstances apply.

**COMPLAINTS RECEIVED OUTSIDE TERM TIME**

The School will consider Stage 2 and Stage 3 complaints received outside of term time to have been received on the first day of the next School term after the holiday period.

**RESOLVING COMPLAINTS**

At each stage in the procedure, the School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an apology
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint.

**WITHDRAWAL OF A COMPLAINT**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing or via email.

### **STAGE 1 – INFORMAL RESOLUTION**

Wherever possible it is best to raise an issue face to face with the person most closely concerned with the issue. Please make an appointment with the person concerned to allow for a suitable period of time to be available to discuss the issues fully.

Academic / Pastoral	-	Form Teacher
Sport	-	Mr McCully / Mrs Blanchard
Performing Arts	-	Mrs Ewins

A Head of Year, Head of Department, or a member of the School Leadership Team, will be more than happy to meet with you if you feel this is more appropriate.

Complaints made directly to a member of the School Leadership Team or Head of Department will usually be referred to the relevant initial contact shown above unless they deem it appropriate for him/her to deal with the matter personally.

The initial contact 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 14 working days or the member of the School Leadership Team or Head of Department fail / Parents fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

### **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.

The Headmaster will meet or speak to the parents concerned, within 14 term time days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

If it is necessary for the Headmaster to carry out further investigations, the parents will be informed of the timescale for this process.

The Headmaster may consult with an appropriate member of the Governing Board to assist with the resolution of the complaint at this stage. 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 within 14 term time days of the initial meeting

following receipt of the 'Stage 2' complaint and parents will be informed of this decision in writing. The Headmaster will also give reasons for his decision.

We cannot rule out the possibility of the need to make third parties outside the school aware of the complaint and possibly the identities of those involved. This would only be likely to be necessary where a child's safety is involved, or an illegal act has occurred. You will be kept fully informed.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **STAGE 3 – PANEL HEARING (see extra detail on Pg 7)**

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should make this request within 14 term time days of the outcome of 'Stage 2' to the Clerk to the Governors at the School address. They will be referred to the Chair of Governors 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 Complaints Panel will consist of three persons. Two of these will be Governors of the School not directly involved in the matters detailed in the complaint. The Chair of Governors will usually act as Chair of the Panel. The third person shall be an independent person, who is not involved in the management or running of the School.

The Chair of Governors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place within 28 term time days. If the complaint is received in a period leading into or during the School holidays, the Complaints Panel will be convened at the beginning of the following term.

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 term time days prior to the hearing.

The parent(s) 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 is not permitted.

If, after confirming the date and time of the Panel hearing, the parent is unable to attend the hearing, an alternative date will be sought. If a suitable new date cannot be found, The Chair of the Panel may decide to convene the panel and review the complaint in the absence of the parent.

A written record of the meeting will be taken by a representative of the School and this will form the 'notes' of the meeting which will be shared with the parent(s). The parent(s) may request amendments on points of factual accuracy; other comments on the notes may be appended if they are not incorporated.

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 Chair of the Panel will make findings and may make recommendations.

The Chair of the Panel will write to the parent(s) informing them of the decision and the reasons for it, normally within 14 term time days of the hearing. The decision of the Panel will be final. A copy of the Panel's findings, recommendations (if any) and notes from the meeting will be sent in writing, by electronic mail or otherwise given to the parent(s), and, where relevant, the person complained about as well as the Headmaster. A copy of the Panel findings and any recommendations will be kept in the School for review and inspection by the Chair of Governors and the Headmaster.

### **EARLY YEARS FOUNDATION STAGE (EYFS)**

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

### **EXCLUSIONS**

This complaints procedure can also be used by parents to express their concerns or to complain about the exclusion of a pupil from the school.

### **PERSISTENT CORRESPONDANCE**

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the School as vexatious and outside the scope of this procedure.

### **RECORDING COMPLAINTS**

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing; and the action taken by the school as a result of these complaints (regardless of whether 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)
- Notes/minutes of the hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice and Data Protection Policy), but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and Retention of Records Policy.

Copies of all correspondence relating to individual complaints (including emails and records of phone conversations, statements and records) will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

The School will provide Ofsted or ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years. The record of any such complaints will be kept in accordance with its Privacy Notice and Retention of Records Policy.

Parents may also complain directly to Ofsted if they wish. Ofsted may be contacted on 0300 123 1231 or by email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).

Where a complaint relates to boarding matters, parents can contact ISI directly concerning child welfare on 020 7600 0100 or [concerns@isi.net](mailto:concerns@isi.net)

Complaints at Stage 2 and Stage 3 are reviewed by Governors at the termly meeting of the Board.

There was 1 complaint received by the School, during the Academic Year 2021-2022, which reached stage 3 this procedure.

## **ALTERNATIVE DISPUTE RESOLUTION**

The European Directives on Alternative Dispute Resolution and Online Dispute Resolution, became effective from 1 October 2015. Parents who have exhausted the School procedures described above, may wish to follow this route.

The Department for Education document “Best Practice Advice for School Complaints Procedures 2020” gives further advice on School complaints procedures.

### **STAGE 3 COMPLAINTS PANEL PROCEDURES**

St Hugh’s School and its Governing Body are committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

#### **The Complaints Panel**

The following will inform the actions of those sitting on appeals panels:

- It is important that the Stage 3 Complaints Hearing is independent and impartial and so no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must include someone who is independent of the leadership and management of the School.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. It may only be possible to establish the facts and make recommendations.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Chair of the Panel will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care will be taken to ensure the setting is informal and not adversarial.

#### **The Remit of the Complaints Panel**

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school’s systems or procedures to ensure that problems of a similar nature do not recur.

## **Roles and Responsibilities**

### **The Role of the Clerk to the Governors**

Any hearing of the Complaints Panel will be arranged through the Clerk to the Governors or where the complaint is against the Clerk to the Governors, another member of the SLT hitherto not involved will assume this role.

The Clerk would be the contact point for the complainant and will be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- ensure that the proceedings are recorded appropriately
- ensure that all people involved in the complaint procedure are aware of the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- notify all parties of the panel's decision.

### **The Role of the Chair of the Governors or a nominated Governor**

The Chair of the Governors or a nominated Governor will:

- check that the correct complaints procedure has been followed
- if a hearing is appropriate, notify the Clerk to arrange the panel and appoint the Panel Chair.

### **The Role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. The remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the School are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself



- the issues are addressed
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- a record of the meeting will be made

### **Notification of the Panel's Decision**

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within 14 term time days.

A written record will be produced following the hearing detailing the Panels decision.

### Making a Stage 3 formal complaint

Please complete and return this form to the Clerk to the Governors, Mr Alistair Hamilton ([bursar@st-hughs.co.uk](mailto:bursar@st-hughs.co.uk)) in the event of the complaint being against the Clerk then to the Headmaster, Mr David Griffiths ([headspa@st-hughs.co.uk](mailto:headspa@st-hughs.co.uk)).

<b>Your name:</b>
<b>Your child's name:</b>
<b>Address:</b>
<b>Post Code:</b>
<b>Email:</b>
<b>Daytime contact telephone number:</b>
<b>Evening contact telephone number:</b>
<b>Please give details of your complaint:</b>

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**What action have you already taken to try and resolve your complaint (ie who did you speak to and what was their response?)**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, give details.**

**Signature: ..... Date:**

**OFFICE USE ONLY:**  
**Date received: ..... Received by: .....**  
**Referred to: ..... Date: .....**

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