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RISHWORTH SCHOOL

COMPLAINTS AND CONCERNS RAISED BY PARENTS OR STUDENTS POLICY

Distribution: Internal Policy File, Website

This procedure applies to students and parents of students who are currently within Rishworth School and to past students where the complaint was initially raised when the student was a member of the School.

Clearly the School hopes that issues arising will be few and far between, but is realistic and knows that there will be occasions where problems need to be resolved. Of the issues that the School is asked to address in the course of a year, most if not all, are resolved at an informal level. Where at all possible parents and students should seek to resolve matters at an informal level. This is usually best done by discussion and agreement.

This policy applies to Rishworth School.

1. **Definition of a Complaint**: A complaint is any matter about which a student or parent of a student is unhappy and seeks action by the School and in the scope of this policy and procedure.

2. **Initial Expressions of Concern / Complaints (Stage 1)**

2.1 If a student or parent has a concern about an aspect of their child's life at school, they should, in the first instance, contact the Tutor (or, if the matter is a particularly sensitive one, the Head of Year), who will try to assist or will refer the matter to another member of staff, as necessary. If the concern is about the School, or some aspect of the School more generally, or about a particular member of staff, or is an exceptionally sensitive matter, then the parent should contact a senior member of staff (generally a Deputy Head or for certain matters which are not related directly to teachers or students, the Commercial Director). Where this course is not deemed sufficient, or where it has been tried but the outcome is considered unsatisfactory, the parent may refer the matter to the Head.

2.2 Parents and students can be assured that any complaint will be treated seriously and confidentially. The school wants your child's time here to be happy, safe and successful. No child will be penalised for any complaint raised in good faith.

2.3 Where all reasonable attempts to resolve a complaint at an informal level have failed, or where, in exceptional circumstances, an apparently extreme situation would appear to justify a formal complaint immediately, the following procedure should be used.

3. Formal Complaints (Stage 2)

3.1. A parent or student wishing to make a formal complaint should have already followed the procedure detailed above regarding informal approaches.

3.2. Parents and students wishing to make a formal complaint should submit the complaint and the grounds for it, to the Head in writing, stating clearly why they wish the matter to be dealt with by formal procedure. As warranted by the nature of the complaint, any matter would be thoroughly investigated, and possible implications and solutions considered. Any investigation would be overseen by an appropriate, senior member of staff or the Head. All parties would be expected to co-operate with an investigation and could expect to be required to give the necessary amount of time (which may be substantial) to assist these investigations. Once an investigation is complete, a meeting between relevant parties and conducted by a senior member of staff or the Head would (unless genuinely too impractical) be held within 13 week-day school days of the receipt of the complaint. Each party may be accompanied by one other person at this meeting.

This accompanying person would be a relative, teacher or friend, but not normally a legal representative. Notwithstanding the possibility of yet further investigations being required, the ultimate purpose of such a meeting would be to try to obtain a resolution at that stage.

3.3. Once the senior member of staff / Head was satisfied that, so far as is practicable, all of the relevant facts had been established, a decision would be made, of which the complainant and where appropriate, the person complained about, would be advised, with reasons and any recommendations, in writing.

3.4. All of the above (under 'Formal Complaints') must be accomplished within a time-scale that ensures that the period from the date of receipt of the original complaint to the communication to all parties of a final decision (allowing, therefore, not only for the complaint procedure to be completed within this time-scale but also for an appeal to be lodged; for the matter to be re-investigated as necessary; for the appeal panel to be convened; for the appeal to be heard; for all necessary communications throughout, that relate to the process of appeal, to be undertaken between relevant parties; for the appeal panel's final decision to be reached; and for that decision to be communicated in writing to the relevant parties) does not exceed 28 week-day term-time working days.

3.5. A parent or student wishing to make a formal complaint about the Head should follow the above procedure, but submit the written complaint to the Mr Ray O'Toole, Chair of Governors, Rishworth School, Oldham Road, Sowerby Bridge, West Yorkshire, HX6 4QA without informing the Head. The Chair would be responsible for ensuring that any such the matter would be dealt with in accordance with the procedure above, but by a person or people appropriate to the situation.

4. Appeal (Stage 3)

4.1 If a parent or student is dissatisfied with the conclusion of the Formal Complaint as dealt with in Section 3 of this Policy, they may make an Appeal.

4.2 Parents or students wishing to make an appeal should make their submission in writing, with a clear statement as to the grounds on which the appeal is being requested. This should be addressed to the Clerk to the Governors in an envelope marked 'Chair of Governors'.

For clarity, where a parent is not satisfied with the school's response to their complaint at stage two (formal complaint) and wishes to continue to stage three (formal appeal) a panel hearing should take place unless the parent later indicates that they are now satisfied and do not now wish to proceed further. The panel hearing should, therefore, proceed not withstanding that the parent may subsequently decide not to attend. If necessary, the panel should consider the parent's complaint in his or her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.

An appeal panel would be convened of at least three individuals not directly involved in the matters that were subject to complaint, one of these individuals being independent of the management and running of the School. Each of the panel members would be appointed by a designated Governor. The Chair of the panel would then acknowledge the complaint and schedule a hearing to take place as soon as practicable and (unless genuinely too impractical) within 13 week-day school days of the receipt of the complaint. Each party would be entitled to be accompanied by one other person at this hearing. This accompanying person might be a relative, teacher or friend, but not normally a legal representative. The panel would set a date (normally at least 5 week-day term-time working school days prior to the hearing) by which each party would declare if it wished to be accompanied and, if so, by whom. The panel might also require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars would be supplied to all parties by a date set by the panel but normally at least 9 week-day term-time working school days prior to the hearing. The parents who have made the request for a formal appeal would be expected to attend any formal appeal hearing.

4.3 If possible, the panel would resolve the complaint immediately without the need for further investigation. If further investigation were required, the panel would decide how this should be carried out. After due consideration of all the facts deemed relevant by the panel, and as soon as would be practicable, the panel's decision, with reasons, together with any recommendations, would be made available in writing to the complainant and, where relevant, the person complained about. This final decision would include (where appropriate) reference to the person complained about, as well as the complainant and would be made available for inspection on the school premises by the Head and Chair of Governors. The panel's decision would be final.

4.4 A record of formal complaints is kept centrally.

Flexibility: Whilst neither parents nor the School are obliged to follow the procedure in every instance and whilst there may be occasions when parents or the School consider it appropriate to change or omit parts of the procedure, any flexibility in respect of this procedure on the part of the School does not include deviation from statutory regulation, specifically from the ISI Regulations found at ISI Regulatory Requirements, Part 7, Paragraph 25, including the notes that follow this Paragraph. The School may amend this procedure from time to time.

Record Keeping: The School maintains, as noted within the ISI Commentary on the Regulations, a Register of Complaints which is a written record of all formal complaints dealt with under this policy (with the outcome), including whether they were resolved at the preliminary stage or at a panel hearing. In line with NMS 18 the Register of Complaints has provision to identify those relating to boarding provision and any action taken by the School to address the complaint whether or not it was 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 student
- 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 will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 108 or 109 of the 2008 Act requests access to them.

Non-prejudice and vexatious or time-wasting complaints: No person will be penalised for raising a concern or making a complaint when this is done in good faith, and the School will follow a fair and effective procedure in the event of a complaint being made. However, vexatious or time-wasting complaints are serious matters and may result in serious action being taken by the School. Such serious action may include legal action and/or ending the School's contract with the vexatious or time-wasting parent (resulting in the child having to leave the School).

Proper consideration and confidentiality: Any concern or complaint (whether formal or informal) will be treated seriously and confidentially. A written record will be kept, with dates and with notes of the level at which resolution was reached, of any complaint and of any meetings, interviews, statements or correspondence arising in relation to a complaint. These will be kept confidential except in so far as is required of the School by Regulation / Law and will remain available for inspection in school by the Head and Chair of Governors.

Boarders and their parents can, for any complaints concerning child welfare in boarding, contact ISI by e-mailing concerns@isi.net, or can contact the Local Authority Designated Officer by calling 01422 394074 or in case of problems or distress can call the Children's Rights Director on 0800 528 0731. This Concerns and Complaints document is readily accessible to all students (including boarders) and their parents, being published on the School's website under 'Policies and Documentation'.

Time-scales: In order to ensure due and proper process throughout and to facilitate expeditious progress in consideration of the complaint, both parents and the School should co-operate with the panel chair in such a way as to ensure that the strict time-scale set overall for the completion of the treatment of the complaint (that is 28 week-day term-time working days, which is a statutory

requirement) can be met. (For the avoidance of doubt, this statutory period, which is the period from the date of receipt of the stage 3 complaint to the communication to all parties of the appeal panel's final decision [if there is an appeal, which the panel chair hearing the complaint will not at that stage know but must allow for], must not exceed 28 week-day term-time working days).

In particular this means that the person overseeing the process of the treatment of the complaint (the panel chair), whether at the complaint or at the appeal stage, must ensure that the smaller time-scales set, as appropriate, for the completion of the various stages and phrases of the procedure, are not only sufficiently long to allow the parties to act as they need but also sufficiently short to allow the whole process (including any appeal if there is one) to be concluded from start to finish within the overall statutory time limit. It follows that to this end both parties must meet any reasonable deadline set by the person conducting the process (the panel chair) for both a complaint and (if there is one) an appeal.