





## COMPLAINTS POLICY

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<b>Responsible Trust Committee:</b>	Board of Governors
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## Concerns and Complaints Policy

### VISION AND ETHOS

Chichester Free School will:

- **Nurture** children in a safe, happy and caring environment where every child will be known, positive behaviour is rewarded and there will be a strong sense of community between child, home, school and community.
- **Challenge** children to recognise and respect one another so we all may learn and grow together. Our curriculum, including the extended day provision, will stimulate and challenge every individual, inspiring a passion for learning. Such challenge requires courage on the part of all members of our community.
- **Inspire** children towards the highest standards of behaviour as the foundation for individual success and a culture of well-being, warmth and exciting futures. We will inspire confident, happy, creative and articulate young people who will emerge with a clear vision for their future.

Chichester Free School's pastoral care is based on the four Cardinal Virtues of Wisdom, Temperance, Justice and Courage:

- **Wisdom** – The wisdom to recognise the importance of context, history, circumstance and intention in every act. We wish to create a culture where the contexts and circumstances of everyday life enable all members of our community to intend excellence in behaviour and achievement. The wisdom to praise effort as much as achievement and to choose well now, even when this is the harder path.
- **Temperance** – To seek self-control so all members of the community act thoughtfully, internalising self-regulation, rather than giving in to impulse or always relying on others to set boundaries. We will be modest in asserting our own rights, prudent in exercising our energies, resilient when faced with difficulty, demonstrating humility and forgiveness in our dealings with others.
- **Justice** – To act fairly, finding evidence first, not fault. To recognise that behaviour is an act carried out by a person. Whether rewarding or punishing, we seek to build the character of the individual and the school through the just actions we take in response. We will listen proactively to all members of the community to form the just culture of the school. To demonstrate justice every day in the respect we show for all members of the community and beyond, and for the material fabric of the school.
- **Courage** – The courage to do what is right when doing what is right is hard, to challenge poor behaviour, speak up for minority groups, or those who are being mistreated and the courage to seize opportunities despite what others might think.

## INTRODUCTION

1 **Circulation:** This policy is addressed to the Senior Leadership Team; to all members of the teaching staff, the support staff, and parents. The policy is available on the School web site.

2 **Policy status:** The policy has been approved by the Principal and the Governing Body of Chichester Free School. It provides guidelines for handling concerns and complaints. It takes account of Regulation 7 of the *Education (Independent School Standards) (England) Regulations 2010* and further amendments made in 2012. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time.

3 **Application:** Separate procedures apply in the event of a child protection issue or if the Principal expels or asks a student to leave and the parents seek a Governors' Review of that decision.

4 **"Parent/s"/"You"** includes a current or prospective parent or legal guardian or education guardian, or a student aged 16+, and may at our discretion include a parent whose child has recently left the School.

5 **Four stages:** This policy describes a four stage procedure –

**Stage 1** - Informal resolution of a concern or difficulty notified orally or in writing to a member of staff.

**Stage 2** - A formal complaint in writing to the Principal

**Stage 3** - A renewed complaint in writing to the Chairman of the Governing Body.

**Stage 4** - A reference to the Complaints Panel.

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action or, if you prefer, a member of the Senior Leadership Team, and should be confirmed in writing to the Principal.

## POLICY AIM AND STATEMENT

6 **Aim:** The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

7 **Policy statement:** We need to know **as soon as possible** if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our school culture. Parents and students should never feel - or be made to feel - that a complaint will be taken amiss or will adversely

affect a student or his/her opportunities at this school. The policy however distinguishes between a **concern or difficulty** which can be resolved informally and a **formal complaint** which will require investigation.

## MANAGEMENT OF COMPLAINTS

**8 Designated Person:** The Principal has appointed a senior member of staff ("**Designated Person**") to be responsible for investigating and resolving complaints. If the Designated Person is unavailable or is the subject of the complaint, his/her duties will be carried out by the Principal or another senior member of staff. The main responsibilities of the Designated Person are to:

- 8.1 Be the first point of contact while the matter remains unresolved and keep records.
- 8.2 Co-ordinate the complaints procedures in school.
- 8.3 Maintain an on-going training programme for all school employees in relation to complaints.
- 8.4 Monitor the keeping, confidentiality and storage of records in relation to complaints.
- 8.5 Report regularly to the Principal with respect to complaints.

### 9 Designated Person:

- 9.1 **School Curriculum Matters: Deputy Principal**
- 9.2 **School Pastoral, Discipline and Recruitment Matters: Principal**
- 9.3 **Financial and Premises Matters: School Business Manager**

10 Every concern or complaint notified to a member of staff which is judged to warrant a formal response, will be noted, together with the action taken, on a standard complaints form.

### Stage 1 - Concerns & Difficulties

11 **Concerns:** We expect that most concerns, where a parent or student seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.

12 **Notification in School:** Please raise the concern initially as follows –

12.1 **Curricular Matters:** If the concern relates to the classroom, the curriculum or special educational needs, please speak or write either to the House Tutor, the Assistant Head (Pastoral) or the Head of Subject as appropriate, in the first instance. As the Designated Officer for curricular matters, the Deputy Principal will deal with any complaint that is not satisfactorily resolved in the first stages of redress.

12.2 **Pastoral Care:** If the concern relates to matters outside the classroom, please contact the Assistant Head (Pastoral). As the Designated Officer for pastoral matters, the Principal will deal with any complaint that is not satisfactorily resolved in the first stages of redress. A concern about the safety of your child should be notified immediately to the Designated Officer.

12.3 **Disciplinary Matters:** A concern about a disciplinary sanction should be raised first of all with the member of staff who imposed it, and, if not resolved, with the Designated Officer – the Principal.

12.4 **Financial Matters:** A concern or complaint about a matter relating to a bill or other financial matter should be taken to the School Business Manager. If not resolved promptly, please send a copy of the letter of complaint to the Principal.

13 **Unresolved concerns:** We expect that concerns raised by informal means should be resolved and concluded within 15 working days. If there is no resolution of the informal stage concerns should be notified in writing as a **formal complaint** which will be dealt with in accordance with Stage 2 below.

## Stage 2 - Formal Complaint

14 **Notification:** An unresolved concern under Stage 1, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the **Principal**. Your complaint will be acknowledged by telephone or in writing within three working days during term time (or ten working days outside term time), indicating the action that is being taken and the likely time scale. A standard formal complaint form will be completed and sent to the Designated Person, a written record will therefore be kept from this stage of the complaints procedure onwards to resolution or the next stage.

15 **Investigation:** The Principal may ask a senior member of staff to act as "**investigator**" and/or may involve one or more Governors. The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Principal who will then notify you in writing of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

16 The investigation and report back to you will be completed within the calendar month of the receipt of the written notification of complaint.

## Stage 3 - Reference to the Chairman

17 **Notification:** If you are dissatisfied with the Principal's decision under Stage 2, your complaint may be renewed in writing to the Chairman of the Governing Body. Your letter to the Chairman should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone or in writing within four working days during term time (or ten working days outside term time), indicating the action that is being taken and the likely time scale.

**18 Action by the Chairman:** The Chairman will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the Chairman is satisfied that she has established all the material facts, so far as is practicable, she will notify you in writing of her decision and the reasons for it.

19 The investigation and report back to you will be completed within 15 working days from the date of receipt of the letter to the Chairman.

#### **Stage 4 - Reference to the Complaints Panel**

20 A Panel hearing is a review of the decisions taken by the Principal [and the Chairman]. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

20.1 **The role of the Panel:** the Panel's task is to establish the facts surrounding the complaints that have been made by considering:

- the documents provided by both parties and
- any representations made by you, the Principal or the Chairman

20.2 If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities

20.3 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Principal or to the full body of Governors as appropriate.

21 **Composition:** We have constituted a Complaints Panel ("Panel") comprising School Governor members and members who are independent of the governance, management and running of the School.

22 **Notification:** To request a hearing before the Complaints Panel please write to School Office **within seven working days of the decision complained of**. Your request will only be considered if you have completed the procedures at Stages 1-3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to School Office. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send School Office a list of the documents which you believe to be in the School's possession and wish the Panel to see. School Office will acknowledge your request in writing within four working days.

23 **Convening the Panel:** A representative from School Office, or the Governors will convene the Complaints Panel within 15 working days of your request letter but the Panel will not normally sit during school holidays. The Panel will consist of **up to three individuals** who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be an **independent member** (i.e. a person independent of the management and running of the School). You may ask the Clerk to tell you who has been appointed to sit on the Panel. If you have a genuine reason for objecting



to one or more members of the Panel then all reasonable efforts will be made to find alternative members.

**24 Notice of hearing:** The Clerk will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

**25 Attendance:** You will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified. If you do wish to be accompanied by a legally qualified person or by more than one person, please provide details to the School in writing at least seven days before the hearing. The Chairman will have the discretion to limit the numbers of people attending the hearing in the interests of maintaining an informal but orderly atmosphere. Your child aged 13+ may attend part or all of the hearing at the discretion of the Chairman. Copies of additional documents you wish the Panel to consider should be sent to the Clerk at least **three clear days** prior to the hearing.

**26 Chairman:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

**27 Hearing:** All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Clerk will be asked to take a handwritten minute of the proceedings.

**28 Evidence:** The Chairman will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

**29 Conduct:** All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chairman. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.

**30 Adjournment:** The Chairman may at his/her discretion; adjourn the hearing for further investigation of any relevant issue.

**31 Decision:** After due consideration of the matters discussed at the hearing, the Panel shall reach a Decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within seven working days. A copy of the findings and recommendations will be made available for inspection on the School premises by the Governors and Principal. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chairman of the Governing Body, the Principal and, where relevant, any person about whom the complaint has been made.

32 **Private proceeding:** A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

33 **Confidentiality:** Correspondence, statements and records relating to individual complaints will be kept confidential except where the secretary of the state or a body conducting an investigation under section 162A of the 2002 Act, as amended, requests access to them. These records will be kept for six years in accordance with the School's Records Policy.

34 For **Early Years Foundation Stage (EYFS)** parents may make a direct complaint to the Office for Standards in Education (Ofsted), should they so wish details are available on their website at [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

35 For EYFS parents the School will notify complainants of the outcome of an investigation within 28 days of having received the complaint.

36 On request Ofsted will be provided with a written record of all EYFS complaints made during any specified period, and the action that was taken as a result of each complaint.

37 The record of complaints for EYFS is kept for at least three years.

38 In the academic year 2014-2015 no complaints have been received, none have reached the formal complaints stage and none were heard by the complaints panel.

<b>Effective date of the policy</b>	January 2018
<b>Circulation</b>	[Governors / teaching staff / all staff / parents / pupils [on request]]
<b>Status</b>	Complies with schedule, paragraph 7 of the Education (Independent Schools Standards) (England) Regulations 2010 (amended 2012)





## COMPLAINTS FORM

This form is to be completed by any member of staff who receives a complaint which merits a formal response. It should be sent, together with a copy of any letter sent in response, to the Principal.

### 1. What is the nature of the complaint? (Please tick)

Staff Conduct

Parental Conduct

Teaching Standards

Pastoral Care

Condition of Premises

Timetabling

Matters of Regime and Routine

Access to or Regulation of Extra  
Curricular Activities

Financial Matters

Other (Please give details, overleaf  
if necessary)

### 2. Details of the complaint (if required please use and attach a separate sheet):



**Date of Incident:**

**Time(s):**

**3. Names of any witnesses to the incident(s):**

**4. Action Taken:**

**Name:**

**Date:**

**Signed:**