

Concerns and Complaints Policy

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Reviewer	Status	Notes
RP (Headteacher)	Approved ▾	Update to Appendix of complaints revised (zero)
CH (Ops Manager)	Approved ▾	
GP/DW (Governors)	Approved ▾	Questions and queries from SG Gov and other governors (ISI TI) - addressed and resolved. Adaptation regarding option of mediation at Stage 3 in line with ISSRs Board of Govs Meeting - 26 September 2022

Date for Review – August 2024

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Introduction:

Cransley School takes great pride in the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a concern or complaint, they can expect it to be treated by the School in accordance with this Procedure. Cransley School does not consider a concern to be different from a complaint.

Cransley School understands that this is a Regulatory Policy. This policy and its effectiveness will be reviewed regularly by governors and will be amended as necessary according to the latest statutory guidance and advice.

It is important that this policy be read and applied in conjunction with other School policies, published separately in the Staff Handbook or available on the school website, at <https://cransleyschool.com/documents-and-policies>

- Behaviour Policy
- Safeguarding Child Protection Policy
- Admissions Policy
- Exclusions, Removal and Review Policy
- Admission policy

This Policy applies to all pupils including EYFS.

Cransley School makes its complaints procedure available to all parents of current pupils on the School's website and in the School Office. A copy of the procedure can also be made available in larger print or more accessible format if required. Cransley School will ensure that parents of current pupils who request a copy of this procedure are made aware that this document is published or available and the forms in which it is published or available.

Although all formal complaints will 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 usually only progress to the formal stage after first being considered at the preliminary stage and only then if the complainant intends to escalate a matter to the formal stage.

It is up to Schools to determine whether or how they also wish to keep a record of informal complaints. Inspectors may advise that many proprietors wish to ensure records are kept, even of informal complaints, for management purposes to enable patterns of low-level concern to be monitored, though this is not a requirement.

In accordance with the Education (Independent School Standards) Regulations 2014 (as amended), Cransley School will make available to parents of pupils and provide, on request, to the Chief Inspector, the Secretary of State or a body conducting an inspection under Section 108 or 109 of the 2008 Act., details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding School year.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School keeps a written record of all complaints and of whether they are resolved at the preliminary stage or proceed to a Panel Hearing and of action taken by the School as a result of these complaints. On reviewing this, Governors will consider how improvements can be made. Records of complaints will be kept in accordance with the school's Data Protection Policy (available on the School website).

It should be noted that the Complaints Procedure applies to past pupils if the complaint was initially raised when the pupil was still registered at the School, and it does not cover exclusions.

Confidentiality

A formal complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited, as far as is possible, to the Headteacher and those directly involved. The Chair of Governors may also need to be informed. It is the School's policy that complaints made by parents should not rebound adversely on their children.

We cannot entirely rule out the need to make third parties outside the School aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the police. Whenever possible parents will be kept informed if this is the case.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints may not be pursued. Action that needs to be taken under staff disciplinary procedures as a result of complaints, will be handled confidentially within the School.

All correspondence, statements and records will be kept secure and confidential except where the Secretary of State or a body conducting an inspection under Section 108 or 109 of the DP Act 2008, as amended, requests access to them, or where any other legal obligation prevails.

Should any aspect of the complaints' procedure remain unresolved, it is possible for parents to bring such matters to the attention of the Independent Schools' Inspectorate.

This organisation may be contacted at: www.isi.net ISI's postal address is: Independent Schools Inspectorate CAP House 9 - 12 Long Lane London EC1A 9HA

Timeframe for Dealing with Complaints

A working day is a normal school term-time day, when the school is in session.

It is anticipated that most complaints and concerns will be resolved quickly and informally. They will be acknowledged within 5 working days during term time and as soon as practicable during the holiday periods. The School's aim and intention is to complete the first two stages of the procedure within 28 working days if the complaint is lodged during term-time, and as soon as practicable during holiday periods.

Complaints reaching Stage 3, the Appeal Panel Hearing, will normally be completed within a further 28 working days of receipt of a request for a panel hearing, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaints must be made available to Ofsted and ISI on request.

COVID-19: Please note that reasonable adjustment in timescales may be required in regard to the absence of relevant staff if unwell or if self-isolating.

Recording Complaints

The School will keep written records of all formal complaints. Formal written complaints to the Headteacher and those which are not resolved at Stage 1 – Informal Resolution, will be recorded on a register held by the Operations Manager, noting at which stage they were resolved or whether they proceeded to a panel hearing. A written record will also be kept of action taken by the School as a result of a complaint, regardless as to whether it is 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)

Correspondence, statements and records relating to individual complaints will contain personal data as defined by the General Data Protection Regulation 2018 (GDPR). The school is entitled to process such data since it has a legitimate interest in doing so in order to comply with its legal duties. Such records are kept securely and confidentially except to the extent required by the Education (Independent Schools Standards) Regulations 2014 (as amended), by the Secretary of State or a body conducting an inspection under Section 108 or 109 of the 2008 Act. The retention period and destruction policy for records of complaints is set out in Appendix L of the school's Data Protection Policy.

The Headteacher will provide ISI (Independent Schools' Inspectorate), if requested, with a written record of all complaints made during a specified period, and action which was taken as a result of each complaint.

Conduct of complainants

The School recognises that events leading up to a complaint may be emotive and cause strong feelings, especially when children are involved. However, the School insists that any complaint is presented and managed by the complainant with calm dignity and integrity. This means that aggressive or violent behaviour towards our staff or any member of the public within the School premises will not be tolerated under any circumstances. Any member of staff who feels threatened will immediately terminate any meeting and seek the support of a colleague or Senior Manager. The Headteacher retains the right to exclude a parent from the premises if they display aggressive behaviour towards a member of staff, another adult or a pupil.

Training

In complaints regarding cases of pupil exclusions, the Headteacher and key members of the Governing Body will have received Educare online training on 'School Exclusions for Headteachers and Governors (Maintained Sector)' and 'School Exclusions for Independent Review Panels'.

Concerns/Complaints Procedure for Parents

Stage 1 – Informal Resolution

All stage 1 complaints should use the form found in Appendix 1.

If parents have a complaint, it may be best to start with the person most closely concerned with the issue, who can therefore remedy the complaint quickly, and with the child's form tutor.

However, parents may prefer to take the matter to a more senior member of staff, for example, the Deputy Headteachers, the Assistant Headteacher (Pastoral) or the Headteacher.

For complaints regarding finance issues, complaints should be directed to the Finance Director.

Complaints made directly to the Headteacher will usually be referred to the relevant teacher, or the member of staff most closely concerned with the issue, unless the Headteacher deems it appropriate for him to deal with the matter personally.

The teacher or appropriate member of staff will make a written record of all concerns and complaints and the date on which they were received.

Every effort will be made to resolve the matter of the complaint at the informal stage rather than allowing it to pass on to more formal procedures. Should the matter not be resolved within 10 school days or in the event that a satisfactory resolution is not achieved then parents will be advised to proceed with their complaint in accordance with stage 2 of this procedure.

Any complaint against the Headteacher should be made directly to the Chair of Governors at the address set out below. The Chair will be responsible for investigating the complaint appropriately, responding to the complainant in line with the procedures above and keeping their own record of any such complaints in accordance with the Data Protection Policy.

Stage 2 – Formal Resolution

An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in **writing** to the Headteacher with full details and sent with all relevant documents and supportive evidence and your full contact details, alongside a copy or revision of the Stage 1 complaint form (Appendix 1)

If the written complaint is received during term-time, the Headteacher will meet or speak to the parents concerned to discuss the matter, within 5 working days of receiving the complaint. If the written complaint is received in the school holidays, a revised time-scale may apply. Wherever possible, a resolution will be reached at this stage.

If the complaint is about the Headteacher, the written complaint should be addressed to the Chair of the Governing Body who will follow the same procedure.

It may be necessary for the Headteacher to carry out further investigation or to refer the matter to the Chair of Governors.

The Headteacher will keep written records of all meetings and interviews held in relation to the complaint in accordance with the school Data Protection Policy.

Once the Headteacher 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 in writing. The Headteacher will also give reasons for his decision.

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

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), their complaint, associated paperwork from Stage 2, and the Headteacher's Decision from Stage 2, will be referred to the Chair of Governors, through the Clerk to the Board of Governors, Ms Nesta Rylance (nrylance@cransleyschool.org.uk).

Stage 3 – Independent Review Panel

If parents are not satisfied with the response to the complaint at Stage 2, the school makes provision for a hearing before a panel appointed by or on behalf of the Chair of Governors. The Chair of Governors will acknowledge receipt of such a request from parents within 10 school days.

Independent Review Panel

The matter will then be referred to the Independent Review Panel for consideration. The Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. Where there is a panel hearing of a complaint, one person will be independent of the management and the running of the School. Each of the Panel members shall be appointed by the Chair of Governors, who on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 20 school days.

A Review Meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law.

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 not later than 5 working days prior to the hearing.

One other person may accompany the parents to the hearing. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. Parents should be asked to name any supporter and their relationship to the parent in advance of the hearing.

The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the meeting will be unsworn. The Clerk will be asked to keep a record of the main points that arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair who

will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comments. Everyone is expected to show courtesy, restraint and good manners. The Chair may at his/her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

If the Headteacher considers it necessary in the interests of an individual or of the School that the identity of any person should be withheld, the Chair may require that the name of that person and the reasons for withholding it be written down and shown to the Panel Members. The Chair at his/her discretion may direct that the person be identified, or not as the case may be.

In the case of a complaint regarding serious sanctions regarding a pupil's behaviour, The Panel will consider each of the questions raised by the pupil or his/her parents so far as relevant to:

- Whether the facts of the case were sufficiently proved when the decision was taken to expel or remove the pupil. The civil standard of proof, namely, "*the balance of probability*" will normally apply except where the case involves an allegation of a criminal offence in which case the standard of proof will be "*beyond reasonable doubt*"; and
- Whether the sanction was warranted, that is, whether it was proportionate to the breach of discipline or the other events which are found to have occurred and to the legitimate aims of the School's policy in that respect.

The requirements of natural justice will apply. If for any reason the pupil or his/her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out, and will set a suitable timescale for this inquiry.

After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations to the Headteacher, which it will complete within 5 working days of the Hearing. In cases of exclusion, the Panel will make every effort to address this earlier.

The Panel will write to the Headteacher and parents (where possible, a copy will also be sent by e-mail) informing them of its decision and the reasons for it. The Headteacher will provide his response to those recommendations in writing, usually within 2 working days.

In the absence of a significant procedural irregularity, the Headteacher's decision will then be final.

Mediation

Mediation is available as an option to the Independent Review Panel if appropriate and requested by the complainant, and acceptable by all parties.

Mediation can be an effective means by which to resolve a complaint:

- It gives both the complainant and the Head teacher a further opportunity to hear each other's points of view (with a third party facilitating).
- It gives the third party an opportunity to help the Head teacher and Complainant identify and build on areas of agreement.
- It gives the Head teacher and the Complainant a structure within which to resolve remaining differences.
- As and when the complainant and the Head teacher emerge from the mediation satisfied, this is the best foundation for a continuing positive relationship.
- Should the complaint continue and be referred to a Governors' Panel, the issues to be considered are likely to be clearer following mediation.

Pupil Complaints

Introduction

If a pupil is unhappy about anything that occurs in School, then he/she may complain about this either to the relevant teacher or Form Tutor.

The complaint may be personal in nature or it may fall within the Whistleblowing category. This is when the concern relates to some form of malpractice at the School such as actual or suspected criminal offences, failure to comply with legal obligations, serious health and safety risks, damage to the environment, academic malpractice, financial and procedural irregularity, deliberate suppression or concealment of any of these. Students should be reassured that in raising any such concerns, their actions will be viewed positively and that they will be protected from victimisation.

Whatever the nature of the complaint it will be treated seriously and a response made. If the response is not, in the view of the pupil, satisfactory, or if the complaint is a particularly serious one, then he/she should refer the matter to either the Assistant Head (Pastoral & Discipline) or the Headteacher. This should be done in writing. The Assistant Head (Pastoral & Discipline) or the Headteacher will aim to deal with the complaint within a week and will make a written response.

Stage 1 – Internal Resolution

Verbal discussions will be had, separately, with both the pupil and the person being complained against. These discussions will need to be followed by written accounts, which will be discussed with both the pupil and their Tutor. The preliminary decision of the Assistant Headteacher (Pastoral) / Headteacher will be given to the Form Teacher and discussed with the person complained against.

Stage 2 – Further Discussion

If further discussion is necessary a meeting of the pupil, the Form Teacher and the person complained against will be chaired by the Assistant Head (Pastoral) / Headteacher. Ultimately, the Assistant Head (Pastoral) or the Headteacher will write to both the pupil and the person complained against, giving the decision.

Stage 3 – Independent Advisor

If the pupil is dissatisfied with this response, then he/she may take the case to an independent person. The person appointed by the School to act in this independent capacity is the Independent Advisor. She can be contacted by calling the Admin Office on 01606 891747.

The Advisor will arrange a meeting with the pupil at which she will listen to the complaint. She will discuss with either the Headteacher or the Deputy Head (Pastoral & Discipline), as appropriate, and provide a written response to the pupil and to the School. This response will either state that she supports the School's actions, or that she recommends that the School revisit the pupil's original complaint.

- Deputy Head (Pastoral), Cransley School. Tel: 01606 893908
- The Headteacher, Cransley School. Tel: 01606 891747
- The Independent Advisor, Admin Office, Tel: 01606 891747

Appendix 1: Compliments, Concerns and Complaints Form

We always aim to provide a high standard of academic and pastoral support and maintain excellent relationships with parents.

The views of our parents and pupils' are important to help to ensure our provision is consistently meeting people's needs. If you are unhappy with any aspect, it is important that you let us know.

Just like any other professional body, we appreciate supportive complimentary comments, as well as those for improvement. Concerns are always best dealt with personally and in spoken conversation, with Form Tutors. This will allow the School to handle the concern more effectively.

The School Office will make appointments with Form Tutors at a mutually convenient time, and will ask you to complete the form overleaf beforehand so we can effectively deal with your concern. If this cannot be resolved at this stage, the Form Tutors will refer the matter to the Senior Management Team.

It is a fundamental tenet of fairness that individuals, against whom a complaint has been made, have a case to answer. Therefore detailed evidence and witnesses will need to be provided in order to deal with the matter effectively and fairly. We then investigate concerns with sensitivity and without pre-judgment.

We guide and teach our pupils to maintain excellent conduct at all times. Even with the best of these intentions, we cannot be responsible for the action of pupils outside of school or on social media, nor are we the conduit for informing other parents of their children's actions. This is a partnership supporting parents, but not acting on their behalf.

Finally, the Expectations for Learning Behaviour system is as important for you and the pupils as it is for us. Please be aware of it, and share the contents with your child. A copy is available on request.

For Office Use	Date and time
Form tutor informed?	
Appointment made?	
Evidence provided?	
Investigation complete?	
Papers filed in tutor and pupil folders and Schoolbase?	
Matter resolved by Form Tutor?	
Feedback to Parents?	
Referral necessary to SMT?	
Resolution	

Pupil Name	
Form and Form Tutor	
Parent Name	
Phone number for contact	
Synopsis of Concern	
Location and time of event	
Individuals Involved	
Evidence of event e.g. screenshots, letters etc	
Witness Names	
Has the matter been raised with your Form Tutor previously?	
What remedy is sought?	
Notes	

Appendix 2: Record of recent formal complaints

2021/22

No formal complaints were received.

2020/21

No formal complaints were received.

2019/20

No formal complaints were received.

2018/19

No formal complaints were received.