

## 33a. COMPLAINTS POLICY

### Principles

The School will always aim to work with parents in the best interests of their children. It welcomes suggestions and comments from parents, pupils or members of the public and undertakes to deal properly with any complaints they may have within a reasonable time and in a courteous and efficient way. Information about the complaints procedure is included in the Parents' and Pupils' Handbooks.

The School also aims to ensure that complaints should not rebound adversely on any children and that any complaints raised, in good faith, by pupils, should not rebound on them or other pupils.

### Who can make a complaint?

Any person, including members of the public, may make a complaint about any provision of facilities or services that the school provides, unless separate procedures apply (such as exclusions, staff grievances or disciplinary procedures or admissions).

### The difference between a concern and a complaint

A 'concern' is defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A 'complaint' is generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. At Read School, informal concerns are taken seriously and every effort made to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure will be invoked through the stages outlined below.

### The Complaints Procedure

The following applies equally to parents and pupils in all sectors of the school, including EYFS.

#### Stage 1 - Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and **informally**.
- If parents have a complaint they should normally contact their child's class teacher. In many cases, the matter will be resolved straight away by these means and to the parents' satisfaction. If a class teacher cannot resolve the matter alone, it may be necessary to consult the Tutor, Head of Department, Head of Boarding, Director of Sport, Bursar, Deputy Head or Head.
- Some complaints made directly or indirectly to the Head may be referred to the Deputy unless the Head deems it appropriate to deal with the matter personally.
- The recipient of the initial complaint will make a written record of all concerns and complaints will be recorded in the Complaints File, together with the date on which the complaint was made. If the matter is not resolved within 5 working days, or if the teacher and the 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.

- Should complainants believe their complaint to be particularly serious, or where it involves the alleged misconduct of staff, they should use the formal complaints process as outlined in Stage 2 below.

### **Stage 2 - Formal Process**

- If the complaint cannot be resolved on an informal basis, then complainants must put their complaint in writing to the Head, copy to the Chair of the Board of Governors. The Board of Governors is always informed of a formal complaint. The Head will decide, after considering the complaint, the appropriate course of action to take. Your complaint will be acknowledged within 24 hours of receipt.
- In most cases, the Head will speak to the parents concerned, normally the day of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. In more complex cases, the Head will address the complaint and provide an initial reply to the parent within five working days.
- It may, however, be necessary for the Head to carry out further investigations.
- The school will keep written records, in the CSR storage, of all correspondence, meetings and interviews held in relation to the complaint.
- Once the Head 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. If additional time is required to formulate a response, this will be explained to the complainant. The Head will also give reasons for the decisions.
- The investigation of more complex cases should be carried out and the outcome communicated to the complainant within 10 working days of receipt of the complaint in writing. Where appropriate, the response will include what action the school will take to resolve the complaint.
- For the avoidance of any doubt, the Head may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### **Stage 3 - Review by Panel Hearing**

- Complaints rarely reach the formal Stage 3 level but, should it be necessary, complainants should make a formal, written complaint to the Chair of Governors, c/o the Clerk to the Governors, at the school address, within 10 working days of the Stage 2 decision. The written complaint must state the nature of the complaint, the grounds upon which a review is being sought and the outcome the complainants are seeking.
- If complainants seek to invoke Stage 3 (following a failure to reach an earlier resolution), the Chair of the Board of Governors will instigate the process to set up a Complaints Panel (see below for how the Complaints Panel is to be formed).
- The matter will then be referred to the Complaints Panel for consideration. The panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by the Board of Governors. The Chair, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 working days.

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- If the panel deems it necessary, it may require that further particulars of the complaint, or any related matter, be supplied in writing, 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.
- The complainants may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the complaint immediately, without the need for further investigation. The Complaints Panel will meet in private to consider all the relevant facts when making its decision.
- The review hearing will normally take place at the School. It is a private hearing and its proceedings are to be regarded by all parties as confidential, subject to law. Those present will normally be: the members of the Complaints Panel, the Head, the parents and the Clerk to the Governors. The Head may also ask a further employee to attend. Parents may be accompanied by a friend but must inform the Clerk prior to the review meeting if this is the case and also the capacity in which the friend is attending. The Chairman of the Complaints Panel may exclude members of the staff from the Hearing, if they were involved in the complaint.
- The proceedings will be chaired by the Chairman of the Complaints Panel and will be conducted in an informal manner. All statements made at the hearing will be unsworn. The proceedings will not be recorded except in the form of minutes of the main points taken by the Clerk to the Governors. All present will be entitled to write their own notes. All those attending the hearing are expected to show courtesy, restraint and good manners. The Chairman may, at his discretion, adjourn or terminate the hearing if these expectations are not met.
- The Panel will consider each of the points raised by the parents concerned, so far as these are relevant to: whether the facts of the case, so far as they relate to the complaint, have been clearly established; and whether action taken following the investigation of the complaint has been reasonable, and in accordance with School policies. Where further investigation is required, the Panel will decide how it will be carried out.
- The decision of the Complaints Panel will be final. Any decisions, findings or recommendations the panel finds will be sent by electronic mail or otherwise to the complainant and, where relevant, the person complained about. Decisions, findings and recommendations of the panel will be notified to the Head and to the parents concerned by the Chairman of the Complaints Panel or by the Chairman of Governors, within 10 working days of the hearing being concluded. The decisions, findings and recommendations of the panel will be available on the school premises for inspection by the Head, Chair of Governors or an Inspection Body.
- Complainants can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where any other legal obligation prevails, or it is appropriate to disclose such information.
- Unless an objection is made, complainants should be aware that the Head may deem it necessary to inform the schools' senior management teams and the Chair of Governors of the nature of the complaint, so that services can be improved. Complaints will not be shared with the whole Governing Body, except in very general terms, in case an appeal panel needs to be organised.
- If complainants are dissatisfied, having fully followed the school's complaints procedure, they may contact the Independent Schools Inspectorate.

Independent School Inspectorate  
CAP House  
9-12 Long Lane  
London

*Complaints about schools: guidance for parents* can be found at [www.isi.net](http://www.isi.net)

Complaints from parents with children in the EYFS setting will be dealt with in line with EYFS requirements and complainants will be notified of the outcome of any investigation within 28 days of receiving the complaint.

### **Complaints Panel Formation:**

- The panel will consist of at least three persons, not directly involved in the matters detailed in the complaint. Two of the panel must be governors, with at least one of these governors being a Parent Governor. The third member shall be independent of the management and running of the school.
- The Head must not be a member of the panel.
- Governors should be mindful of equality issues when looking at the composition of a Complaints Panel.
- If a Governor Complaints Panel cannot be formed (i.e. owing to conflicts of interest), the school may opt to approach a different school in the local area or other Governors to sit on the panel, thereby ensuring independence of the Complaints Panel formed.

### **The procedure when the Head or Member of the Governing Body is the subject of the complaint or has a conflict of interest**

- Complaints against the Head are usually first dealt with by the Chair of Governors and, if a conflict of interest arises, may be referred by the Chair of Governors to another Governor.
- Complaints against the Chair of Governors or any individual Governor should be made in writing to the Independent Schools Inspectorate.

### **Confidentiality**

All complaints will be treated in a confidential manner. Issues of confidentiality will be discussed on an individual basis with parents, but it may be impractical to investigate a complaint without involving others in the investigation. Similarly, parents should recognise that it may be impossible to resolve a situation without naming individuals, whether staff or pupils. Members of Staff have a right to know about complaints which may be damaging to their reputation. Such complaints will be made known only to themselves and those who have to be consulted in order to resolve the complaint.

Any correspondence, statements and records relating to individual complaints will be kept confidential except where a body conducting an inspection under Section 109 of the 2008 Act requires access to them.

### **Anonymous Complaints**

Parents are encouraged to give their names when making a complaint and should be given appropriate reassurance about confidentiality. Where anonymous complaints are received, the Head has discretion as to what action to take, if any, depending on the nature and seriousness of the complaint. Anonymous complaints will be recorded.

### **Recording and Monitoring Complaints**

All formal complaints will be logged. The complaints log will record all formal complaints that have been raised and have included a copy of the complaint to the Chair of Governors whether or not the complaint has been resolved at this stage or moved on to a panel hearing of governors. The following details will be recorded: date

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when the issue was raised; name of parent; name of pupil; brief statement of the complaint; location of detailed file; person handling the complaint; brief statement of outcome.

Confidential files on all complaints will be maintained and kept together, cross-referenced to other files as necessary. They will contain simple but clear notes of all conversations with parents about any source of dissatisfaction. The complaints log will be regularly monitored to identify any patterns that may require action.

The Head reports on complaints annually to the Governing Body. Records of formal complaints will be kept on the school premises for eight years.

The log and records of complaints will be made available to the Secretary of State for Education and Inspectors as and when requested.

### **Unreasonable Complainants**

The Read School 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other peoples' complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate the complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing the complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- 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 including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;

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- using falsified information;
- publishing unacceptable information in a variety of media such as social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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.

Whenever possible, the Head or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Head or Chair of Governors will write to the complainant explaining that the behaviour is unreasonable and asking them to change it. For complainants who excessively contact either school, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Read School premises and grounds.

#### **Number of Complaints in the Past Year**

During the academic year 2021-2022 Read School responded to **six** formal complaints which were dealt with in accordance with our Complaints Procedure Policy.

The above procedure is not intended in any way to limit parents' statutory rights.

**Ruth Ainley (Head)**  
**September 2022**  
**Review September 2023**