



Sidcot
Live Adventurously

Policy Name: Complaints Policy and Procedure

Policy Number: 2.6

Date: 10 October 2020

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1. Aims

1.1 Sidcot School has the happiness and welfare of its students at the forefront of all its procedures. The aim of this policy is to ensure that parents are aware of how to raise matters of complaint with the School, and for the School to set out the procedures according to which it will resolve such issues. Sidcot School is committed to handling complaints sympathetically, constructively, confidentially, efficiently and at an appropriate level. In doing so, we hope to promote students' and parents' confidence in our procedures, and in our ability to safeguard the welfare and progress of the children in our care. This policy should be read in conjunction with the Safeguarding and Child Protection Policy (2.1).

1.2 We aim to approach any complaint in a positive way, and where necessary, review our systems and procedures.

2. Scope of this Policy

2.1 This policy applies to the parents of all existing students, including parents of boarders and those within the Early Years Foundation Stage (EYFS). It will only apply to past students if the complaint was raised by a student's parents when the student was still enrolled at the School. It does not apply to the exclusions process.

2.2 A "complaint" is interpreted as an expression of dissatisfaction with a real or perceived problem. Any matter about which a student's parent is unhappy, and in respect of which s/he seeks action by the School, is dealt with as a complaint. A complaint may be made against the School as a whole, about a specific department, or about an individual member of staff. Any such concern, matter of dissatisfaction or complaint will be dealt with according to this policy and will be referred to for the purposes of this policy as a "complaint".

3. Statement

3.1 As a School, we encourage open and positive communication between the parents and guardians of a child and the School itself. Such communication can often result in positive outcomes. We have an "open door" policy and always try to resolve issues with parents quickly and informally, where appropriate.

3.2 We need to know as soon as possible of any complaint made. Any difficulty that is not resolved quickly and fairly may lead to resentment and unhappiness. Both parents and students must know that any issue raised will be taken in good faith and will not affect the student adversely in any way.

3.3 The School embraces the Equality Act, and does not discriminate on the basis of race, colour, religion or belief, national, ethnic or social origin, gender, gender reassignment, sexual orientation, pregnancy or maternity, disability or special educational needs.

4. Distribution

4.1 This policy is posted on the School's website, and this fact is drawn to parents' attention on a regular basis by means of the Sidcot Parents' Newsletters, which are

sent weekly by email during term time and elsewhere. Hard copies of the Complaints Procedure may be requested free of charge. Parents may also request to be informed of the number of complaints registered under the formal procedure during the preceding school year from the Headmaster's PA.

4.2 This policy may be made available in larger font or other accessible format upon request.

5. The Complaints Process

5.1 Staff have access to this procedure which is included in the Policy Section of the Staff Handbook. A flowchart may be found at Appendix 1 of this policy which sets out the procedure below.

5.2 If a complaint is raised about a member of staff and an investigation is required, managers should invite the member of staff, to an investigation meeting, using the letter template at Appendix 4.

5.3 In the event of a school shutdown or significant disruption, eg staff absence, due to the Covid-19 pandemic, these timeframes for response as detailed below may need to be extended but this will be for the minimum period possible.

5.4 In the event of a school shutdown or significant disruption, eg staff absence, due to the Covid-19 pandemic an on-line complaints process will be set up in order to manage, coordinate and record complaints, utilising the email address: OSLSupport@sidcot.org.uk. The process will be communicated to parents at such time.

Stage 1 – Informal Resolution

- It is hoped that most complaints will be resolved quickly and informally; they may be raised initially in writing including by email, or verbally. Unless a parent expressly requests that the Stage 2 process is triggered, or unusual circumstances dictate otherwise, the resolution of all complaints will initially follow the informal resolution process. The Stage 2 process of formal resolution will usually only be triggered if informal resolution is unsuccessful, and only if a parent requests that the complaint is escalated.
- If parents have a complaint they should normally contact their son or daughter's Form Tutor, if it relates to a boarding issue their Boarding Housemaster/mistress or the SENCO (Special Educational Needs Co-ordinator) should the complaint relate to special educational needs. In many cases, the matter will be resolved straight away through this medium to the parents' satisfaction. If the Form Tutor or Housemaster/mistress cannot resolve the matter alone, it may be necessary for him or her to consult a Head of Faculty, a Year Head, a Deputy Head or the Headmaster.
- Complaints raised directly to a Head of Faculty, a Year Head, a Deputy Head or the Headmaster will usually be referred to the relevant Form Tutor or Housemaster/mistress unless the Year Head, the Deputy Head or the Headmaster deems it appropriate for him/her to deal with the matter personally. The Form Tutor or Housemaster/mistress dealing with the complaint will make a written record and include the date on which it was

received. Should the matter not be resolved within ten working days in term time or as soon as practicable in holiday time, or in the event that the Form Tutor or Housemaster/mistress and the parent fail to reach a satisfactory resolution, then parents will be advised that they may wish to proceed with a complaint in accordance with Stage 2 of this process, which is a matter at their discretion.

- If the complaint concerns the Headmaster, the parents should raise the matter directly with the Chair of the Board of Governors who will seek to reach a resolution with the parents.
- Only in the most exceptional circumstances, may a complaint may be raised at stage 3 level without having followed the usual process of stage 1 / stage 2 attempts at resolution.

Stage 2 – Formal Resolution

- In most cases, the Headmaster will contact the parents concerned, normally within five working days of receiving the complaint during term time, to discuss the matter and as soon as practicable during holiday time. . If possible, a resolution will be reached at this stage. The outcome will be confirmed in writing.
- It may be necessary for the Headmaster to carry out further investigations.
- .
- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, the Headmaster will inform parents of his decision in writing, with the reasons for his decision, within twenty eight days of having received the complaint during term time, or as soon as practicable during holiday time
- If the complaint is made against the Headmaster, the Chair of the Board of Governors will call for a full report from the Headmaster and for all relevant documents. The Chair may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss matters further. Once the Chair is satisfied that, so far as is practicable, all the relevant facts have been established, the parents will be informed of the decision in writing. The Chair will give reasons for his/her decisions.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this process.

Stage 3 – Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of the Board of Governors (if the complaint is about the Chair, the Vice-Chair) who will convene a Complaints Panel of the Board.

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. The School takes account of the guidance produced by the Department for Education (DFE) regarding the identity of the independent panel member and will endeavour to appoint someone who has held a position of responsibility and is used to scrutinising evidence.

The Chair of the Panel will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within fifteen working days during term time, or as soon as practicable in holiday time. The Chair will determine the procedure to be followed at the Hearing in terms of witnesses and the taking of evidence and communicate it to all participants no later than seven working days before the Hearing,

- If the Panel deems it necessary, it may require further particulars of the complaint or any related matter to be supplied in advance of the Hearing. Copies of such particulars shall be supplied to all parties not later than five working days prior to the Hearing.
- A parent may attend the Panel Meeting and be accompanied, if they wish, by one other person who is not attending in the capacity of a legal representative, unless otherwise agreed with the Panel. The matter however may be dealt with on paper if a parent does not wish to attend in person, or is not able to do so.
- 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.
- After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within ten working days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it (i.e. its findings and recommendations). The decision of the Panel will be final. Any findings and recommendations will be sent by electronic mail and in writing to the complainant, where relevant, the person complained about, the Chair of the Board of Governors and the Headmaster. In any event, the findings and recommendations will be available for inspection by the Governors and Headmaster.
- The contact details for the independent bodies whom parents may contact form Appendix 2 of this policy, and include the Independent School's Inspectorate, Ofsted, and the Designated Officer at the Local Authority (LADO), (where the complaint refers to a matter which the school has reported, or should have reported, to the LADO).

6. Recording of Complaints

6.1 Following resolution of a complaint, the School will keep a written record of all formal written complaints and whether they are resolved at the preliminary stage or proceed to a Panel Hearing. Staff should record the complaint on the form available on Firefly (the School's virtual learning environment) or alternatively forward correspondence to the Head's PA via email for inclusion in the file. Staff are frequently reminded of their duty to log complaints in a timely manner.

6.2 The School will also record whether the complaint arose as a result of boarding provision and if so, the action taken by the School as a result of those complaints (regardless of whether they are upheld) according to Requirement 18 of the National Minimum Standards for Boarders.

6.3 At the School's discretion, records relating to the complaint shall be kept, for so long as is necessary and for a minimum of 7 years. Where there is a safeguarding aspect to the complaint, records must be preserved for the term of the Independent

inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer. The principles of the Data Protection Act will apply. The records 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)

6.4 The School will provide Ofsted and ISI, on request, with a written record of all formal complaints made during any specified period and the action which was taken. .

6.5 Parents can be assured that all complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential, except in so far as is required of the School, by Paragraph 25(k) of the Education (Independent School Standards) Regulations 2010; where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

7. Written Complaints Relating to the Requirements under the Statutory EYFS Framework

7.1 Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome for the investigation within 28 days.

8. Mediation and Alternative Dispute Resolution

8.1 At the conclusion of the stage 3 process, the School will provide the parents with details of a certified ADR provider, but is not obliged to engage in the process if it does not feel it to be appropriate.

9. Persistent complaints

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

10 Monitoring of this policy and review cycle

10.1 This policy is the responsibility of the Headmaster, and is subject to annual review by the Board of Governors. If revised legislation, regulation or statutory guidance require a need for amendment to this policy, this will be effected as soon as possible and ratified by the Chair of Governors and Governor responsible for Safeguarding. Any proposed substantive changes (as determined by them) will be

ratified by the Board at the next available meeting. Any incident that dictates a change to this policy will likewise trigger an immediate review.

10.2 The School will monitor recorded complaints for trends and will take appropriate action as required. A governor is appointed to oversee complaints, please refer to Appendix 2. Each term the Board of Governors, are informed about the number of informal and formal complaints and of any common trends, for monitoring purposes and to be able to address issues as appropriate.

11. Document Change History – document any changes since adoption by Board

Date of change	Detail significant changes and any new legislation / guidance taken into account
8 October 2016 Changes reviewed by Board at Annual Safeguarding Review	Reference to open door policy; SENCO nominated for complaints relating to SEND; reference to Stage 3 may be accessed in the most exceptional circumstances without following stages 1 and 2; reference to possibility of complaints at panel being dealt with on paper; update procedure for staff for recording complaints (use of Firefly), refer to option of alternative dispute resolution.
24 January 2017	Paragraph 9.2 amended to include further detail of how complaints are monitored with governor oversight. Governor appointed to have oversight of complaints process – see Appendix 2.
18 May 2017	Para 4 amended to specify that the number of formally recorded during the preceding year may be requested from the Headmaster’s PA. Appendix 4 – template letter added.
07 October 2017	Reviewed and adopted by Board at Annual Safeguarding Review.
01 May 2018	Paragraph 2.1 amended to delete reference to the policy applying to the parents of prospective students as the admissions policy has provision for an appeals process. Approved by the Chair of Governors, and link governor for complaints.
22 June 2018	Reviewed by Board. Change to process as outlined at para 9.1. <i>“If revised legislation, regulation or statutory guidance require a need for amendment to this policy, this will be effected as soon as possible and ratified by the Chair of Governors and Governor responsible for</i>

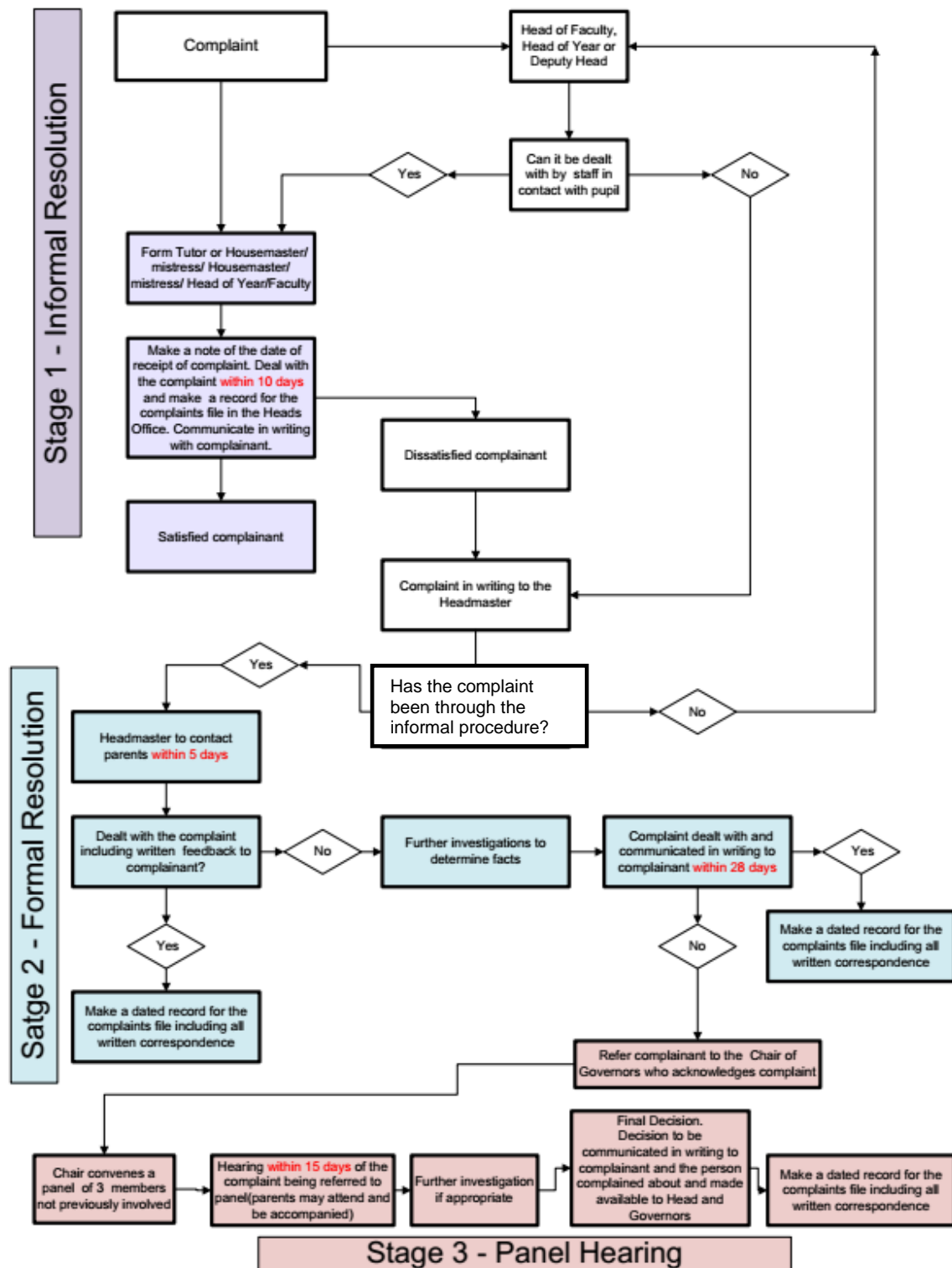
	<i>Safeguarding. Any proposed substantive changes (as determined by them) will be ratified by the Board at the next available meeting. Any incident that dictates a change to this policy will likewise trigger an immediate review.</i>
6 October 2018	Reviewed and adopted by Board
30 April 2019	Contact details at appendix 1 updated for the local authority designated officer.
5 October 2019	Paragraph 8 – Mediation and ADR reworded Policy reviewed and adopted by Board of Governors at Annual Safeguarding Review`
10 October 2020	Reviewed and adopted by Board of Governors at Annual Safeguarding Review. Flexibility introduced into the timescales for response in the event of a further period of shut down or significant disruption eg staff absence due to Covid-19. Time period for retention of records extended in line with ISI guidance. Additional paragraph inserted re persistent complaints.

Appendix 1 – Complaints Flow Chart

Complaints Procedure in Accordance with Policy 2.6

June 2015

Flow chart to be read in conjunction with policy



Appendix 2 – Contact Information

Local Authority Designated Officers for Allegations (DOFA formerly the (LADO)	Tel: 01275 888211.
Independent Schools Inspectorate (for complaints regarding the whole School including Early Years Provision).	CAP House 9-12 Long Lane London EC1A 9HA Tel: 0207 6000100 info@isi.net
Ofsted (relating to complaints regarding Early Years Provision – Parents may contact either Ofsted or ISI).	Tel: 0300 1234234 enquiries@ofsted.gov.uk
Governor with responsibility for the oversight of the complaints process.	Victoria Hemming Victoria.hemming@sidcot.org.uk

Appendix 3 – Complaints Record Sheet

Complaints Record Sheet

Informal Resolution:		
Complaint from:	Date complaint received:	Complaint format: Letter, email, other

Name of person the complaint was made to:	Complaint concerning name of student:

Response to complaint made by:	Date response made:

Attach any written communication concerning the complaint and a file note of any conversations.

Has the complaint been resolved: yes / no

If no, progress to Formal Resolution

Formal Resolution:	
Complaint referred to the Headmaster by:	Date referred to the Headmaster:

Investigation made by:	Outcome of investigation:

Date initial response made to complaint:	Date final response made:

Attach any written communication concerning the complaint and a file note of any conversations.

Has the complaint been resolved: yes / no

If no, progress to Panel Hearing

Date Headmaster referred complaint to Panel Hearing:	
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Appendix 4 - Letter to colleague to investigate complaint

Strictly Private & Confidential

Date xxxxxxxx

Dear xxxxxxx

Parental Complaint

Further to our brief discussion where I advised that a concern had been raised by a parent of one of our pupils following an alleged incident on xxxxxxxx, I would like to meet with you on xxxxx at xxx (time) in my office where I would like to discuss the incident in greater detail.

If you feel more comfortable, you may wish to be accompanied by a colleague.

I need to remind you of the confidential nature of this complaint, and I would therefore please ask you to refrain from discussing this parental concern with anyone other than myself, or the colleague accompanying you (who should also be made aware of the confidential nature of the matter).

If you have any queries regarding this letter please do not hesitate to contact me.

Yours sincerely

Name of manager

Role of manager