

School  
Compliments  
& Complaints



Hydesville Tower  
School, Walsall

September 2016

### KEY FACTS

- ✦ **Clear procedure to be carried out: Follow Stages 1-3 guidelines & EYFS guidelines.**
- ✦ **EYFS complaints to be investigated within 28 days.**
- ✦ **Stage 1 to be completed within 15 working days.**
- ✦ **The Compliments and Complaints Policy must be on the School website.**
- ✦ **All complaints handled must be in accordance with the Data Protection Act.**
- ✦ **Formal complaints must be completed by parents on the formal Complaints Form at Appendix 1.**
- ✦ **Written records of all complaints meetings/interviews and outcomes must be kept.**
- ✦ **Ofsted reported incidents must be kept for 3 years.**

## 1 Background

- 1.1. We must have complaints procedures which meet certain requirements by the Education (Independent School Standards) (England) Regulations 2014, in accordance with the Education & Skills Act 2008, and as amended and in force from 5 January 2015 (SI 2014 No 3284), and to make the procedures available to parents and prospective parents.
- 1.2. This policy and procedure is fully compliant with the requirements of the Statutory Framework for the Early Years Foundation Stage with effect from September 2014. Further details are as follows:
  - 1.2.1. We have a written procedure in place for dealing with concerns and complaints from parent/carer(s), as outlined in this document.
  - 1.2.2. We keep a written record of any complaints we receive and their outcome (see details below).
  - 1.2.3. We investigate written complaints relating to the fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.(See procedure below).
  - 1.2.4. We provide details for parents of how to contact Ofsted, in the unlikely event that parent/carer(s) believe that we are not meeting the EYFS requirements. If we were made aware that we were to be inspected by Ofsted, we would notify parent/carer(s) and supply any resulting inspection report accordingly.
  - 1.2.5. We notify parent/carer(s) if we are to be inspected and we always supply a copy of the report to parent/carer(s) of children attending on a regular basis.
  - 1.2.6. We make our record of complaints available to external agencies for the purposes of inspection, including Ofsted, School Inspection Service and Independent Schools Inspection Service.
- 1.3. All information about a complaint is treated as personal information and will be handled in accordance with the Data Protection Act. This ensures that correspondence, statements and records of complaints are kept confidential. Information from a

complainant will not be forwarded to another person or body without the complainant's consent.

- 1.4. The complaints procedure is not relevant where other statutory provisions apply, for example, child protection, staff grievances and disciplinary processes, racial incidents, or special educational provision. If concerns relate to child protection matters, the appropriate Local Safeguarding Children's Board procedures should be followed by the school, in accordance with the school's safeguarding policy. This typically involves contacting the relevant local authority children's services (social care) and/or the Police who have relevant powers. If the concerns relates to school exclusion, then the exclusion policy and procedure will apply. Where these provisions apply, the parents will be so informed by the school.
- 1.5. A complaint can be made by any parent (or person deemed to have parental responsibility under the terms of the Children Act 2004) of any child attending the school; except where notice to leave the school has already been given.
- 1.6. Removing children from the school prior to making a complaint forfeits the continuation of the process.
- 1.7. Where the complaint concerns only the matter of finance such as fees in lieu which remain outstanding, the matter of the fees owed alone falls outside the scope of this procedure, which *does not* apply. If parents are seeking reimbursement or re assessment of fees owed, this matter must be referred directly by the parent to the school's Headteacher, Business Manager or Bursar for resolution. The Headteacher retains responsibility for all such financial decisions.
- 1.8. Group complaints linked to leadership and/or management style will not be heard collectively by Heads and/or Cognita. Confidentiality must be maintained for each individual complainant at all times.
- 1.9. Requests for consideration regarding possible disability discrimination under the Equality Act (2010) should be properly addressed to the Special Educational Needs and Disability Tribunal which is a First Tier Tribunal.
- 1.10. Our website contains a copy of this policy. Hard copies are made available on request from the school office and the document is available to download from the school's website.

## 2 Introductions

- 2.1. We are committed to providing a quality service in the pursuit of teaching excellence. One of the ways in which we continue to improve our education service is by listening and responding to the views of our parents. We pride ourselves on the quality of our provision for teaching and pastoral care, and on the strength of our relationships with parents.
- 2.2. We aim to provide services of a high standard to every parent, but sometimes things do go wrong. When this happens we want to hear from parents so that we can sort it out and learn from our mistakes.
- 2.3. If we have got things right we would also like to know. We welcome compliments, suggestions and comments as they help us to improve. Appendix two includes a copy of our compliments record form.

- 2.4. The day-to-day running of the school is the responsibility of the Headteacher. Governance is via Cognita Schools. Specifically, this means the Assistant Director or in the case of safeguarding matters the school's Independent Chair, who represents Cognita.

### 3 Principles

- 3.1. We will treat each complaint as a clear expression of dissatisfaction which calls for a response.
- 3.2. We will ensure that making a complaint is as easy and simple as possible. We learn from our compliments and complaints and use them to continually improve our delivery.
- 3.3. We will treat all complaints seriously whether it is made by email, letter, and telephone call or in person. Formal complaints which are dealt with under our procedure must be made in writing by the Complainant.
- 3.4. We will deal with all concerns and complaints promptly, politely and seek to resolve matters informally in the first instance. We will give every opportunity for discussion and aim to resolve it through open dialogue, common understanding and focusing on a solution. We will respond appropriately to all concerns and complaints, providing further relevant information.
- 3.5. We will treat concerns and complaints confidentially (including written records), unless exceptionally we must share this information with other agencies to safeguard and protect children and young people in our care. Where this is the case, parents will be made aware. We will always treat complaints with sensitivity and care, although some information sharing may be necessary to carry out a thorough investigation.
- 3.6. We will be non-adversarial and fair in our approach; addressing all points of issue and providing an effective response.

### 4 An Overview of our Procedures

#### *Informal Concerns*

- 4.1. We will handle all concerns immediately without the need for formal procedures. It is in everyone's interest that complaints about our school are resolved at the earliest possible stage and that we ensure best practice in addressing them.
- 4.2. Formal procedures will only be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied, because no resolution has been reached, and the complainant wishes to take the matter further.

#### *Formal Complaints*

- 4.3. A parent can complain where they feel they have been caused an injustice as a result of, and act or omission of, the function in school of a Headteacher or their delegated staff member. This involves the day-to-day running of the school, including the implementation of school policies, and the actions or inactions of staff in relation to the following:-
- 4.3.1. The school is not providing a good enough education;
- 4.3.2. The pupil is not achieving as much as they should or their different needs are not being met;
- 4.3.3. The pupil's personal development and well-being are being neglected; or
- 4.3.4. In the case of a complaint about the Headteacher, that the school is not well led or managed.

- 4.4. The Headteacher will assign an investigating officer, which could be the Headteacher themselves; unless the complaint is about them. The investigator should make sure that they identify what has happened so far and who has been involved, the nature of the complaint and what remains unresolved. Complainants must always be met or contacted.
- 4.5. The investigator should meet with all relevant parties in order to come to a satisfactory conclusion. All interviews should be conducted with an open mind and seek clarification and understanding. Notes must be taken and kept by the school.
- 4.6. The Headteacher ensures that all complaints are logged by the school and records how they were resolved. This log is regularly monitored by the Assistant Director and reported to the school's Safeguarding Governance Committee (SGC) meeting each term for further scrutiny.

### 5 Stage 1

- 5.1. In the first instance, parents should always have raised any concern with their child's class/form teacher so that the matter is resolved quickly and informally. It is expected that the vast majority of complaints will be resolved without the need for a formal process to be triggered at Stage 1, so that parents are reasonably satisfied through an informal approach.
- 5.2. If the teacher is unable to resolve the matter alone, it may be necessary to involve a more senior member of staff, for example, the Deputy Head at Stage 1.
- 5.3. Complaints raised in the first instance with senior members of school staff will always be referred to the relevant teacher, unless exceptionally they deem it more appropriate to deal with the matter personally.
- 5.4. Should the matter not be resolved within **seven** working days, with the exception of school closure and training days, or in the event that the parties have failed to reach a satisfactory resolution, then parents will be advised that the complaint will be dealt with at Stage 2 of this school-based complaints procedure (see section 6 below).
- 5.5. However, should a parent wish to make a complaint **because of the response or actions of the Headteacher**, please contact Head Office, Milton Keynes by telephone or in writing in the first instance. You will be contacted by the complaints co-ordinator in the first instance to clarify and discuss the matter. Should a formal complaint transpire then a **written completed formal complaint form (Appendix One)** must be returned to Head Office. On receipt of the written formal complaint at Head Office, the Head of Education Compliance, will allocate an Officer to carry out a Stage 1 investigation accordingly within **fifteen school** working days. Where this timescale is exceeded, the investigator will keep parents informed.

### 6 Stage 2

- 6.1. In the vast majority of cases the Headteacher will meet or speak with the parents concerned about their concerns, and normally within **five** working days of receiving the complaint. If at all possible, a resolution will be reached at this stage.
- 6.2. It is likely that the Headteacher will carry out further investigations. Written records of all meetings and interviews held in relation to the complaint will be kept.

- 6.3. Sometimes it may not be possible to give parents a full reply within the timescale, for example, if relevant staff are absent or the investigation requires more detailed enquiries. In this case, an interim response should indicate what has been done to date, telling the complainant when they can expect the full response and from whom.
- 6.4. Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of the decision in writing.
- 6.5. The Headteacher will also give clear reasons for their decision. One outcome might be that further action is taken at stage 1, for example, where a previous explanation has been unclear so the teacher is to be given the opportunity to redress the matter swiftly.
- 6.6. In the event that a parental complaint concerning a Headteacher's actions are not resolved satisfactorily at Stage 1, following the intervention of the Cognita Officer, then the Head of Education Compliance will allocate a representative from Head Office to undertake a review of the procedure followed at Stage 2, to ensure that the process followed has been fair and proportionate. We will aim to complete this Stage 2 review within **fifteen** working days.

## 7 Stage 3

- 7.1. If parents are still not satisfied with the decision because there has been a failure to reach a resolution, they may wish to proceed to stage 3 of the school's complaints procedure. Parents must provide reasons why they feel that the previous investigation has not provided a satisfactory response and state what they wish the Panel to examine.
- 7.2. This will involve consideration by a Complaints Panel of at least three people not directly involved in the matters detailed in the complaint, one of whom should be independent of the management and running of the school.
- 7.3. Each school panel member will be appointed by the Assistant Director, Cognita Schools who acts in a governance role in this regard for school based complaints. In the case of complaints about the Headteacher, this role will be undertaken by the Head of Education Compliance.
- 7.4. Stage 3 hearings will usually take place at Head Office, Milton Keynes, or other suitable nearby alternative where appropriate. Administration of Stage 3 hearings will be conducted by Head Office staff.
- 7.5. Parents may be accompanied to the hearing by one other person. This may be a relative or friend. Legal representation will not normally be deemed appropriate.
- 7.6. The Panel will reach a decision, providing written findings, and may make recommendations, to the complainant which it shall complete within seven days of the hearing. Where appropriate, the report will be sent to the person about whom the complaint has been made. A copy of the findings and recommendations including actions to be taken (regardless of whether the complaint is upheld) will be made available at the school for inspection purposes by the Headteacher for the relevant external Inspectorate. *The decision of the Panel will be final.*
- 7.7. Parents can also make other organisations aware of their concerns such as Ofsted for the Early Years. If your complaint has not been resolved by our setting, a formal complaint can be raised to Ofsted using the Ofsted online contact form or via email

enquiries@ofsted.gov.uk or the general helpline on 0300 123 1231. You can also contact the Department for Education on 0370 000 2288. However, please note that the latter is only applicable if the complaint is about a failure to meet the required satisfactory standards about the quality of education, the spiritual, moral, social and cultural development of pupils, the welfare, health and safety of pupils, the premises and accommodation at the school, and the suitability of the proprietor and staff within the school (Part 10 of the Education Act 2002). Alternatively, parents may contact the relevant inspection body; Independent Schools Inspectorate (info@isi.net) or Schools Inspection Service (SIS). Nevertheless, it will remain the responsibility of parents to have first pursued their complaint against the school, using the above Cognita procedures.

- 7.8. All paperwork with regard to complaints to Ofsted must be kept by the school for a period of 3 years.

### **8 Vexatious Complaints**

- 8.1. There may be exceptional occasions when, despite the following of all stages of the procedure, the complainant remains dissatisfied.
- 8.2. If the complainant tries to reopen the same issue, Cognita Schools reserves the right to inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.
- 8.3. Where a complainant seeks to raise a subsequent complaint matter which is otherwise different to the original complaint, at Stage 3, this matter in itself would be treated as a new complaint.



**APPENDIX ONE**

**COGNITA COMPLAINTS FORM**

Please complete and return to the School Office. (If your complaint is specifically about the actions of the Headteacher please complete and return to Head Office, Milton Keynes). You will be given a written acknowledgement with an explanation of what action will be taken in response to your complaint.

Name of School	
Your name	
Pupil's Name	
Address	
Your relationship to the pupil	
Email address	
Daytime contact number	
Mobile contact number	
What is your complaint about?	<input type="checkbox"/> Health & Safety <input type="checkbox"/> Curriculum <input type="checkbox"/> Exclusion <input type="checkbox"/> Behaviour <input type="checkbox"/> School Staff <input type="checkbox"/> SEN/D <input type="checkbox"/> School Meals <input type="checkbox"/> School Uniform <input type="checkbox"/> Communication with Parents <input type="checkbox"/> Other (please provide further details below)
Please give a brief description of your complaint	
How have you already expressed your concern to the school, because we cannot investigate your complaint if there has not been an opportunity to address your concern at an early stage, for example, by the class teacher	



**School Compliments & Complaints**

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Tell us what the school did to address your complaint (who, what, where, how, why):	
Name of the person who originally considered your concerns or complaint:	
What actions will resolve the problem now?	
Signature	
Name	
Date	
<b>OFFICIAL USE ONLY</b>	
Date of Stage 1 acknowledgement	
Name of Investigating Officer	
Position	
COPY SENT TO HEAD OF EDUCATIONAL COMPLIANCE, HEAD OFFICE MILTON KEYNES, 5 & 7 Diamond Court , Opal Drive, Eastlake Park, Fox Milne, Milton Keynes MK15 0DU ON (INSERT DATE)	

APPENDIX 2

COGNITA COMPLIMENTS RECORD FORM

Date	
Your name	
Pupil's Name (where applicable)	
Pupil's Class (where applicable)	
Details of the compliment (where applicable attach copy of written communication):	
Action Taken (who, what, when):	
Reported To:	
Review/Follow Up	

SCHOOL GUIDANCE NOTES:

The purpose of this form is to record when a compliment is received.

This is filed in the school office, with a copy sent to the line manager and person concerned.

A letter is written to the author of the compliment to thank them for giving the compliment.

Where appropriate, the sender of the compliment may be asked if their letter/form may form part of a display in school.