

COGNITA

Complaint Procedure (England)



HYDESVILLE
TOWER SCHOOL

September 2022

1 Introduction

- 1.1 We take great care with the quality of the teaching and pastoral care provided to our pupils. However, if parents do wish to make a complaint they can expect the following procedure to apply.
- 1.2 This policy is applicable to all pupils, including those in the Early Years Foundation Stage.

2 Working Day

- 2.1 For the purposes of this procedure, 'working days' shall mean working days during school term time. In the event of a complaint arising during the school holidays, wherever possible, this will maintain the same time periods as during term time. However, the Headteacher will need to ascertain the exact time required to secure the necessary information and, if there is the need to go beyond this time scale, will inform the parents accordingly in writing.

3 Procedure

3.1 Stage 1 – Informal Resolution

- 3.1.1 It is hoped that most complaints will be resolved quickly and informally.
- 3.1.2 If parents have a complaint they should normally contact their child's form teacher in the first instance. In many cases, the matter will be resolved at this level to the parents' satisfaction.
- 3.1.3 If the teacher cannot resolve the matter alone, it may be necessary for them to consult with a member of the School Senior Leadership Team.
- 3.1.4 Any complaints made directly to the Headteacher/Principal will usually be referred back to the relevant member of staff unless the Headteacher/Principal considers it more appropriate to deal with the matter personally. Should this be the case, the aim will still be to resolve the matter informally. However, the involvement of the Headteacher/Principal at this stage will be in exceptional circumstances.

Note: Should a parent wish to raise a complaint about the Headteacher/ Principal they should contact the Cognita Office by completing the [online complaint form](#) in the first instance. This will trigger contact with the Complaint Co-ordinator to clarify and discuss the matter. Any complaints made about the Headteacher will initially be referred to the Chair of Governors/General Manager or European Director of Education. The aim will still be to resolve the matter informally.

- 3.1.5 Stage 1 complaints should be addressed within 7 working days from the point at which they are received. Where there are reasons which prevent this from happening, the staff member dealing with the complaint will notify the parents and provide an amended time frame.
- 3.1.6 A written record of all complaints will be kept (regardless of whether they are upheld) and this will include the date on which the complaint was received, the action taken and the outcome.
- 3.1.7 Should the matter not be resolved informally, despite the teacher's best efforts, then the parents are able to proceed with their complaint in accordance with Stage 2 of this procedure.

3.2 Stage 2 – Formal Resolution

- 3.2.1 If it has not been possible to resolve the complaint informally, then the parents should put their complaint in writing to the Headteacher/Principal. The Headteacher/Principal will decide, after considering the complaint, the appropriate course of action to take including the person to take the lead in any investigation.
- 3.2.2 The Headteacher/Principal will respond to parents within five working days indicating how the school proposes to proceed.
- 3.2.3 It may be necessary for the Headteacher/Principal, or the person taking the lead, to carry out further investigations. If this is the case then written records will be kept of all meetings and interviews held in relation to the complaint.
- 3.2.4 Once the Headteacher/Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, during the course of the investigation, a decision will be made in relation to the complaint within 10 working days from the date the complaint was received. Parents will be informed of the decision, and the reasoning behind it, in writing.
- 3.2.5 Where it is not possible to give a full reply within 10 working days, the Headteacher/Principal will notify the parents and provide an amended time frame.
- 3.2.6 It is expected that a resolution will be reached at this stage and that parents will feel assured that all of their concerns have been fully and fairly considered. If, in extreme circumstances, parents are not satisfied with the process they are able to bring into play Stage 3 of this procedure.
- 3.2.7 Note: If it has not been possible to resolve a complaint about the Headteacher/Principal informally, parents should notify the Cognita Head Office of their complaint by completing the online complaint form. This form can be accessed via the link within the final page of the Complaints Procedure document. This will trigger contact with the Complaint Co-ordinator to further clarify and discuss the matter. Where there is a complaint against the Headteacher/Principal, the Director of Education will appoint an investigator. These complaints will normally be dealt with within 15 working days of receiving the complaint.

3.3 Stage 3 – Panel Hearing

- 3.3.1 Where the parents are not satisfied with the response or process undertaken at Stage 2, the matter will be referred to a Complaints Panel.
- 3.3.2 Parents should request a referral to a Complaints Panel by emailing the Cognita Head Office within 5 working days of receipt of the decision at Stage 2 above.
- 3.3.3 Cognita will acknowledge receipt of the Stage 3 complaint and will schedule a hearing to take place as soon as practicable and normally within 20 working days of receiving the Stage 3 complaint.
- 3.3.4 The Complaints Panel will be appointed by the European Director of Education and at least one of the three members shall be independent of the management and running of the school. The members of the Complaints Panel will have no connection to the pupil or the family concerned and will not have been directly involved in the matters detailed in the complaint.

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- 3.3.5 If the Chair of the Complaints Panel deems it necessary, s/he may require that further particulars of the complaint and any relevant documents or records be supplied in advance of the panel meeting.
- 3.3.6 The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation is not permitted. Recordings of hearings are not permitted.
- 3.3.7 If possible the Complaints Panel will resolve the parents' complaint immediately without need for further investigation.
- 3.3.8 A written record of the proceedings will be taken.
- 3.3.9 After due consideration of all facts considered relevant, the Panel will reach a decision and make recommendations, which it shall complete within 10 working days of the hearing.
- 3.3.10 The Panel will write to the parents informing them of their decision and the reasons for it.
- 3.3.11 The Panel's findings and recommendations will be sent in writing to the complainant, the Headteacher/Principal and, where relevant, the person about whom the complaint was made. A copy of any complaint and findings/recommendations will be held confidentially and made available for inspection in the school by the proprietor and by inspectors on request.
- 3.3.12 This exhausts the complaints procedure after the decision has been communicated in writing. The decision of the Complaints Panel is Final.

4 Early Years

- 4.1 This policy is compliant with the requirements of the Statutory Framework for the Early Years Foundation Stage. Where parents believe that the school is not fulfilling the requirements of the EYFS they are entitled to raise concerns with either ISI or Ofsted (see below for contact details). All complaints relating to the EYFS are investigated and complainants will be notified of the outcome of the investigation within 28 days of having received the complaint. Where parents do not believe that an early years complaint has been resolved they can raise this with Ofsted via email enquiries@ofsted.gov.uk or telephone 0300 123 1231. All paperwork with regard to complaints to Ofsted will be kept by the school for 3 years.

5 Complaints in relation to a pupil who has left the school

- 5.1 A formal complaint cannot be raised in relation to a pupil who has left the school, unless the issue was first raised when the pupil was on roll. The child is taken off roll on the final day of the term in which they leave.
- 5.2 If parents have a complaint in relation to a pupil who has left the school, they should contact the Cognita Head Office by completing the online complaint form in the first instance. This will trigger contact with the Complaint Co-ordinator to clarify and discuss the matter. If the pupil related to the complaint is not on roll, the complaint cannot progress to the formal stage but issues raised will be noted and discussed.

6 Vexatious Complaints

- 6.1 There may be exceptional occasions when, despite the following of all stages of the procedure, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, Cognita reserves the right to inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. 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 informal complaint.

7 Recording of Complaints

- 7.1 All complaints which have reached Stages 2 or 3 are duly recorded in the School Complaint Register, including the outcome of the individual complaint and any actions taken as a result. The stage at which the complaint is concluded is recorded.

8 Confidentiality

- 8.1 Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential. The exceptions to confidentiality are the Secretary of State or an inspection body. The School will make available to an inspectorate on request a written record of any complaints made during a specified period and the action which was taken as a result.

9 Publication

- 9.1 This procedure is published on the school website.

10 Provisions Relating to Complaints dealt with using this Procedure

- 10.1 This procedure will not be relevant where other statutory or organisational provisions apply, for example, child protection, racial incidents or special educational provision. If concerns relate to child protection matters, the appropriate Local Safeguarding Children's Board procedures will be followed.
- 10.2 This procedure cannot be used to deal with appeals following expulsion or removal. There is a separate procedure in place in accordance with the parent contract. Guidance on how to request this will be provided in the event of an exclusion or removal and is covered in the Exclusion Policy.
- 10.3 Nothing in this policy shall prejudice the right of parents of a pupil with SEN or a disability to seek redress from the First Tier Tribunal (Special Educational Needs and Disability) if they believe their child has received unfavourable treatment.
- 10.4 A complaint can be made by any parent (or person deemed to have parental responsibility under the terms of the Children Act 2004) of a pupil registered at the school.
- 10.5 A complaint cannot be raised in relation to a pupil who has left the school, unless the issue was first raised when the pupil was on roll. The child is taken off roll on the final day of the term in which they leave.
- 10.6 When 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. The Headteacher/Principal of the School remains responsible for all financial decisions.
- 10.7 Where a parent is unhappy with this procedure, they can contact the Department for Education (DfE).
- 10.8 Complaints from groups of parents linked to the leadership team and/or management style will not be heard collectively. Confidentiality must be maintained for each individual complaint.

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Contact details for inspectorates:

The Independent School Inspectorate: CAP House, 9-12 Long Lane, London, EC1A 9HA
Ofsted: Piccadilly Gate, Store Street, Manchester, M1 2WD

Complaint record from previous academic year: -

The school received no formal complaints.

Link to the Online Complaints form can be found here:

[ONLINE COMPLAINTS FORM](#)

Images of the online complaints form appear below.

Cognita Schools: Complaints Form

The survey will take approximately 5 minutes to complete.

* Required

Basic Details

1. Which Cognita School is this complaint about? *

2. Full Name *

3. Pupil's Full Name *

4. Relationship to the pupil *

5. Email address *

6. Mobile number *

7. Alternative contact number

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Cognita Schools: Complaints Form

* Required

Complaint Details

8. What is your complaint about? Please select all that apply *

- Health and Safety
- SEN/D
- Curriculum
- School meals
- Staff
- School uniform
- Behaviour
- Communication
- Other

9. Please provide a brief description of your complaint *

10. How have you already expressed your concern to the school? (Please note that Cognita cannot investigate a complaint before an attempt to resolve the issue with the school directly has been made) *

Enter your answer

11. What did the school do to address your complaint? (Who, What, Where, How, When) *

Enter your answer

12. Please provide the name of the staff member who originally considered your concern or complaint *

Enter your answer

13. What actions do you feel would resolve the problem now? *

Enter your answer

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Confirmation

14. Does this complaint relate to a child who remains on roll at the listed Cognita school?

NB: A formal complaint cannot be raised with Cognita in relation to a pupil who has left the school, unless the issue was first raised when the pupil was on roll. If a complaint is made in relation to a pupil who is no longer on roll, the Complaints Co-ordinator will make contact with complainant to discuss the matter. If the pupil is not currently on roll, the complaint cannot progress to the formal stage but issues raised can be noted and discussed.

Yes

No

You can print a copy of your answer after you submit

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Submit

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Ownership and consultation	
Document sponsor (role)	Director of Education
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Consultation – April 2017	Heads at: Breaside Prep, Salcombe Prep, Meoncross, Polam and Southbank Hampstead. Assistant Directors of Education: Robin Davies and Danuta Tomasz.

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Audience	Parents of pupils at Cognita schools School staff

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