



nugent
education



SCHOOL COMPLAINTS PROCEDURE

Nugent House School

Updated: June 2017

Review: June 2018

1.0 Introduction

- 1.1 Education legislation requires Proprietors/Governing Bodies/Schools to have in place a formal written procedure to deal with complaints relating to the school and any facilities or services that the school provides. The procedure must also be publicised, including to parents.
- 1.2 The Proprietors and Head teacher of the school are committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect of the running of the school. A complaints procedure is an important part of the management of a well-run school allowing parents and others the opportunity to voice any concerns they may have through appropriate channels.
- 1.3 This policy explains the procedure, which has been adopted by the Proprietor/Governing Body to ensure a timely, systematic and fair approach to the resolution of such concerns. We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stages reduces the numbers that develop into formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases, a teacher or an individual delivering the service will receive the first approach.
- 1.4 Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. A complaint may be managed through an allegation process result in disciplinary action by the school against a member of staff and this would be confidential between that member of staff and the school, but otherwise parents will be kept fully informed of the handling of any complaint. Any complaint will be kept confidential unless it is necessary to involve other parties and will be dealt with as quickly as possible.

2.0 Legal Context

- 2.1 Under Independent Schools Regulations and Standards 2014 we are required to maintain a Complaints Policy and provide information annually to parents/carers about complaints received.

3.0 Principles of the procedure:

Where possible, complaints will be resolved through informal discussion.

- All complaints will be dealt with impartially and, subject to the need to investigate fully, in confidence.
- Complaints will be dealt with within clear time limits unless other factors cause delay.
- Complaints made by pupils will normally be recorded through the 'Can I have a Minute?' form. The Complaints Officer will ascertain if it does constitute a complaint and contact the complainant to reassure them that the issues raised will be looked into and they will receive a response.

- Complaints made by staff, parents or other parties will be made in writing or verbally to the Complaints Officer who will acknowledge the complaint and either manage the complaint themselves or assign it to a designated manager.
- Any issues identified as requiring action will be addressed.
- The policy will be non-adversarial and promote flexibility and reconciliation between parties.

Staff will be supported appropriately.

- The School will keep records of all complaints, including actions and outcomes will report relevant details to the Proprietors on a regular basis – this will be for monitoring purposes only and will present an overview of the types of complaints and associated themes.
- The policy will be reviewed every three years or more frequently in the light of changing legislation.

4.0 Serial and Persistent Complaints

We reserve the right not to consider complaints that:

- are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance)
- use obscenities, racist or homophobic language
- contain personally offensive remarks about members of our school community.
- are repeatedly submitted with only minor differences after we have fully addressed the complaint.

The school will only not consider a complaint after discussion and in agreement with Central Office.

6.0 Stages in the Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. There are three stages in the school's complaints process.

6.1 Stage 1: The First Contact – Informal

- 6.1.1 The person making the complaint has an opportunity for discussion of their concern with the appropriate member of staff who clarifies with the individual the nature of the concern and reassures them that the school wants to hear about it. They may explain to the individual how the situation happened.
- 6.1.2 It can be helpful to identify at this point, what sort of outcome the complainant is looking for.
- 6.1.3 If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name, contact address or phone number and the nature of the concern. All members of staff will know how to refer, if necessary, to the

person with responsibility for the particular issue raised by the complainant. They will check later to make sure that the referral has been dealt with.

6.1.4 There is no need for the complaint to be put in writing at this stage. The staff member dealing with the matter will make sure that the individual is clear what, if any, action or monitoring of the situation has been agreed. The complaint will be considered and resolution attempted within 10 working days.

6.1.5 Where no satisfactory solution has been found, the individual will be asked if they wish their concern to be considered further within the formal complaints process set out below. If so they are given clear information about how to proceed and a copy of this document is provided.

6.2 *Stage 2: Formal Investigation*

6.2.1 At this point the individual will be asked to formally put the complaint in writing to the Head teacher. The written complaint must be clear and detailed and a copy of this procedure will be provided to the complainant.

6.2.2 If the complaint concerns the Headteacher, HR will appoint an appropriate senior manager to investigate the complaint.

6.2.3 The Head teacher (or designated member of the Senior Leadership Team) will acknowledge receipt of the complaint in writing within 5 working days of receiving the written complaint. The acknowledgement will give a target date for providing a response to the complainant – normally within 10 working days. If, thereafter, it is not possible to respond within the 10 days, a letter will be sent explaining the reason for the delay and giving a revised target date.

6.2.4 The Head teacher (or designate) will undertake an investigation as appropriate and will provide an opportunity for the complainant to meet with them to supplement any information provided previously. It will be made clear to the complainant that they may be accompanied to any meeting by a friend or colleague.

6.2.5 Once all the relevant facts have been established, the Head teacher (or designate) will invite the complainant to discuss/resolve the matter directly. The response may be in writing or at a meeting with written confirmation of the outcome.

6.2.6 The complainant must be advised of their right to have the matter referred to the further if the outcome of Stage 2 is not satisfactory. If they wish to take the complaint further they should notify the Nugent Governance Team within 10 working days of receiving the outcome letter.

6.2.7 Nugent will then make provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint.

6.3 *Stage 3: Formal consideration by the Proprietor*

6.3.1 The Proprietor will appoint a panel to hear the complaint.

- 6.3.2 The Local Authority can offer advice and guidance to the Clerk, the Chair of Governors and/or the members of the Complaints Committee on the procedural issues relating to the Committee Hearing, but will not participate in reviewing the complaint.
- 6.3.3 It is recommended that School Governing Bodies annually agree five governors from whom the school will be able to form a complaints committee if required at any point.
- 6.3.4 The Governors' Complaints Review Committee will comprise at least three non-staff Governors not previously involved in the complaint. If the whole governing body is aware of the substance of a complaint before the final stage has been completed, the school will arrange for an independent panel to hear the complaint.
- 6.3.5 The complainant has a right to have somebody with them in a panel hearing to provide support.
- 6.3.6 Where the complaint concerns a pupil of Nugent House School the panel allows for a parent to attend and be accompanied at a panel hearing if they wish.
- 6.3.7 A copy of the findings and recommendations is provided to the complainant and, where relevant, the person complained about; and is available for inspection on the school premises by the proprietor and the head teacher.
- 6.3.8 A written record is kept of all complaints including those:
- that have reached stage two and stage three of this procedure
 - whether they are resolved following a formal procedure, or proceed to a panel hearing; and
 - action taken by the school as a result of those complaints (regardless of whether they are upheld)
- 6.3.9 All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

7.0 *The Role of the Independent Schools Inspectorate and Department for Education*

- 7.1 If a complaint has completed stage 3 of this procedure and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised however will only act where the proprietor has acted unlawfully or unreasonably and where it is expedient or practical to do so.
- 7.2 The Secretary of State's powers, in respect of Independent schools in England, are delegated to the Independent Schools Inspectorate (ISI). The ISI will examine if the complaint policy and any other relevant statutory policies were followed in accordance with the provisions they set out. The ISI also examines policies to determine if they adhere to education legislation. However, the ISI will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

7.2 Further information can be obtained from the ISI by calling the National Helpline on 020 7600 0100.or going online at:

<https://www.isi.net/parents-and-pupils/concerns-about-a-school>

or by writing to: Independent Schools Inspectorate,
CAP House,
9-12 Long Lane,
London EC1A 9HA

8.0 Complaints can also be made to the Department for Education online at

<https://contact.ofsted.gov.uk/online-complaints>

The welfare of the child/young person is paramount.

