

# **Complaints Procedure (Whole School including EYFS)**

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**Independent Day School for Boys and Girls**

**Our Lady of Sion School**

Reviewed: 9 August 2018  
Frequency of Review: Annually

Next review: August 2019

## OUR LADY OF SION SCHOOL

### COMPLAINTS PROCEDURE

#### Introduction

This procedure applies to all parents including those with pupils in EYFS.

It is available to pupils, parents of pupils and prospective pupils and carers on the school's website or from the School's Office.

If a parent, carer or pupil has a concern or complaint, they can expect it to be treated by the School in accordance with this procedure. The school seeks to maintain open and constructive dialogue with parents and carers and to put right any proven matters of concern.

Any significant matter about which a pupil, parent of a pupil or carer is unhappy and seeks action by the school is regarded as a complaint (whether presented as a representation or formal complaint) and within the scope of this procedure.

This procedure has been approved by the Headmaster and the Governing Body of Our Lady of Sion School (**School**). It provides guidelines for handling complaints by parents, pupils or others who have a current association with the school. It takes full account of paragraph 33 of the Schedule to the Education (Independent School Standards) Regulations 2014. School leaders will ensure there are no impediments that may reduce the capacity of parents, pupils or carers to make representations or formal complaints. As certain of the procedures can only be carried out during term time, other arrangements will be put in place to handle any representations or complaints made outside usual school terms.

**Working days** means Monday to Friday, when School is open during term time. The dates of terms are published on the School's website.

Separate procedures apply if a pupil has been expelled or asked to leave or if a child protection issue has arisen. The school is duty bound to follow child protection and safeguarding procedures in accordance with statutory guidance and policies set by West Sussex Safeguarding Children Board.

#### Stage 1 – Informal Resolution

- It is hoped that most complaints will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's Class Teacher/Form Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Class Teacher/Form Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Senior Teacher of Junior School for EYFS and Junior School pupils or the Deputy Headmaster for Senior School.

- Complaints made directly to the Deputy Headmaster or Senior Teacher of Junior School will usually be referred to the relevant Class Teacher/Form Tutor unless the Deputy Headmaster deems it appropriate for him/her to deal with the matter personally. At all stages consideration will be given to any patterns of concern that may have arisen.
- Should the matter not be resolved within **5 working days** or in the event that the Class Teacher/Form Tutor and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

## **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster stating that they wish to invoke a formal complaint. The Headmaster will decide, after considering the complaint, the appropriate course of action to take and will acknowledge the complaint within **2 working days**.
- In most cases, the Headmaster will meet or speak to the parents concerned, normally within **3 working days** of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- The Headmaster may ask a senior member of staff to act as Investigator and/or may involve one or more Governors. The Investigator(s) may request additional information from the complainant and will probably wish to speak to them personally and to others who have knowledge of the circumstances. The school will seek to keep relevant parties informed of the progress of any investigation at each stage of this procedure.
- Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator will prepare a report on the investigation which will be considered by the Headmaster.
- Once the Headmaster 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 this decision in writing, usually within **10 working days** from the receipt of the complaint. The Headmaster will also give reasons for his decision together with details of any findings or recommendations arising from the investigation into the complaint.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.
- **Early Years Foundation Stage:** parents in the EYFS setting will be notified of the outcome of the investigation into any complaint made within **28 days** of the complaint being received.

### Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3, following a failure to reach an earlier resolution, they must put their request in writing to the Chair of Governors as soon as is practicable after the Headmaster's decision. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed or if it is considered necessary to proceed immediately to a hearing at this stage. The written request should include:
  - a copy of all relevant documents and full contact details
  - details of all the grounds of the complaint and the outcome desired and
  - a list of the documents which the complainant/s believe to be pertinent to the issues raised and evidence required..
- 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 Panel member will be appointed by the Chair of Governors. The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings. 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** of receipt of the request.
- The parents may be accompanied to the hearing by one other person. This would usually be a relative, teacher or friend. As the Panel hearing is not a legal proceeding legal representation is not necessary on either side. If parents do wish to be accompanied by someone who is legally qualified, they must notify the Chair of Governors of this at least **5 working days** prior to the hearing, who will decide whether this is appropriate in the circumstances. If permitted, the legal adviser will only be allowed to act as an observer and not an advocate. The Panel may decide to call other witnesses during the hearing to ensure all relevant information is available in order to reach balanced and fair conclusions.
- If possible, the Panel will seek to resolve the complainant/s complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide the nature and timescale for further enquiry..
- After due consideration of all facts they consider relevant, the Panel will reach a decision on the balance of probabilities and may make findings and recommendations, which it shall complete within **3 working days** of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel represents the conclusion of the School's complaints procedure. The Panel's findings and any recommendations will be sent in writing to the parents, the Headmaster, the Governors and, where relevant, the person whom the complaint is made against and will be made available on the School premises. Additionally, records of complaints and their resolution will be available to inspectors in accordance with regulatory requirements.

### Record keeping and confidentiality

A written record will be kept of all formal and informal complaints, and of whether they were resolved at Stage 2 or proceeded to a Panel hearing, along with any action taken by the School as a result of these complaints regardless of whether they are upheld.

The number of formal complaints received by the School in the preceding academic year will be published on the School's website and made available to the inspectorate.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where access is requested by the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them or where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

Parents of the children in the Nursery can make a complaint to Ofsted if they believe the school is not meeting the EYFS requirements. The school is also obliged to report to Ofsted any situations where it is felt that a child has suffered or is likely to suffer harm as defined by statutory guidance. All other parties (as defined above) can make a complaint to the Independent Schools Inspectorate (ISI). As far as possible, it is hoped that representations or complaints will be made to the school in the first instance, although it is understood that there is a right to report directly to ISI or Ofsted if this is felt to be necessary. Details of how to contact Ofsted and/or ISI are given at the end of this procedure, see Appendix 1.

### **Related Documents** Safeguarding Policy

## Appendix 1:

### Contacting Ofsted and or ISI

Although the School is inspected by ISI, an independent organisation which reports to the Government on schools, parents of children in the Nursery have the right to contact Ofsted if they believe the school is not meeting the EYFS requirements. Such parents can report their concerns to Ofsted on 0300 123 1231 or they can write to the Ofsted Regional Office as follows:

<b>South</b>
Ofsted Freshford House Redcliffe Way Bristol BS1 6LX

### Contact details for ISI

Parents of pupils in the Junior School, Senior School or Sixth Form may also report any concerns to ISI on 020 7600 0100 or they can write to ISI as follows:

Independent Schools Inspectorate CAP House 9 - 12 Long Lane London EC1A 9HA	
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**Complaints Procedure**

Authorised by Chairman of Governors 29/8/2018

Signed copy held by Clerk to Governors