DITCHAM PARK SCHOOL

Where every child is known and valued

Complaints Policy and Procedure

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Complaints Policy and Procedure

Introduction

This policy applies to the whole school, including the EYFS.

Ditcham Park School is proud of the quality of teaching and pastoral care provided for its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Complaints Procedure.

Ditcham Park School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School website and in the School Office during the school day. The School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. Although this Procedure is made available to parents of prospective pupils, it is not available for use by them; this complaints policy only applies to the parents of current pupils at the school, or past parents of pupils who were registered at the school at the time that the initial complaint was registered. This policy does not include pupil exclusions, parents are directed to the School's Exclusion Policy in such circumstances.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Ditcham Park School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

"Parent(s)" means the holder(s) of parental responsibility for a pupil about whom the complaint relates.

What constitutes a complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you [or your child] raises in good faith.

Parents' three-stage Complaints Procedure

Stage 1 – Informal Resolution

1. In the event of a parent having a complaint the normal procedure should be to contact their son/daughter's Class Teacher, Form Tutor or Subject Teacher in the first instance. It is hoped that most complaints and concerns will be resolved quickly and informally by this means to the parent's satisfaction. It is School policy for Staff to acknowledge communications received within 48 hours.

- If the Class Teacher, Form Tutor or Subject Teacher cannot resolve the matter alone it may be necessary for him/her to consult a Head of Department or a member of the School's Senior Leadership Team.
- Complaints made directly to a Head of Department will usually be referred to the relevant Class Teacher, Form Tutor or Subject Teacher in the first instance unless the Head of Department deems it appropriate for him/her to deal with personally, or to refer it to the Senior Leadership Team directly.

2. If a parent considers their complaint is not satisfactorily resolved, then the parent should contact the relevant member of the Senior Leadership and Academic Team as follows:

    - The Head of Seniors for all concerns relating to Seniors;
    - The Head of Juniors for all concerns relating to Juniors;
    - The Bursar for all financial matters.

    These senior members of staff will investigate complaints and discuss the matter with the Headmaster. Every effort will be made to resolve the issue quickly. Staff will acknowledge communications received within 48 hours.

3. Class Teachers and Form Tutors who receive complaints should ensure that a note is placed on CPOMS.

4. A written record will be made of all concerns and complaints which reach the Senior Leadership Team, and the date on which they were received.

    If a satisfactory resolution is still not reached within 7 working days, then parents will be advised to proceed with their complaint in accordance with Stage 2 of the Complaints Procedure (Formal Resolution).

It should be noted that if the complaint concerns the Headmaster, parents should put the complaint in writing addressed to the Chair of Governors, at the School's postal address.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis then the parents should put the complaint in writing addressed to the Headmaster. The parent should use the key word **'complaint'** in all written correspondence and within the subject heading when using e-mail.

1. The Headmaster will decide, after considering the complaint, the appropriate course of action to take. In most cases, the Headmaster will meet with or speak to the parent concerned, normally within 5 working days of receiving the e-mail or letter of complaint, to discuss the matter. If possible a resolution will be reached at this stage, although it may be necessary for the Headmaster, or their nominee, to carry out further investigations.
2. The Headmaster will **keep written records** of all meetings and interviews held in relation to the complaint.

3. Once the Headmaster is satisfied that so far as is practicable, all the relevant facts have been established, a decision will be made and the parent will be informed of this decision in writing, within 15 working days of the Headmaster receiving the formal complaint (starting Stage 2). The Headmaster will also give reasons for his decision.

4. If the complaint is against the Headmaster, the Chair of Governors or their nominee will call for a full report from the Headmaster and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing, within 15 working days of the Chair of Governors receiving the formal complaint (starting Stage 2). The Chair of Governors will give reasons for his/her decision.

If parents are still not satisfied with a decision made at this stage, they should proceed to Stage 3 of the Complaints Policy (Panel Hearing).

Stage 3 – Panel Hearing

If parents are not satisfied with the Headmaster's written decision they will need to write to the Headmaster informing him that this is the case. Where the complaint is in respect of the Headmaster, if the parents are not satisfied with the Chair of Governor's written decision the parents will need to write to him/her to advise him/her that this is the case.

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to The Chair of Governors within 20 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.

The Chair of Governors can be contacted either via the Clerk to the Governors, Mr Glen Jones, at the School by e-mail bursar@ditchampark.com or telephone 01730 825659 Ext 1250; or directly by e-mail chairofgovernors@ditchampark.com or by post marking correspondence "Private and Confidential for the Attention of the Chair of Governors" and posted to the School address.

1. The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of two School Governors who are not directly involved in the matters detailed in the complaint and a panel member who is independent from the management and running of the school (see Appendix). The Complaints Panel will appoint one Panel member to act as Chair of the Panel. The Chair of Governors, on behalf of the Panel, will acknowledge the complaint in writing within 5 working days of the complaint being escalated to him/her. The Clerk to the Governors, acting as Clerk to the Panel, will schedule a hearing to take place within 15 working days of the date of the letter sent by the Chair of Governors.

2. The Complaints Panel hearing will proceed not withstanding that the parent may subsequently decide not to attend. If necessary, the panel will consider the parents' complaint in their absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.

3. The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

4. The manner in which the hearing is conducted will be at the discretion of the Panel.

5. If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

6. If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. The Panel may also where it deems necessary, and with the prior agreement of the Chair of Governors, engage the services of a suitably qualified independent expert advisor to assist it in conducting a thorough review and assessment of all the evidence, to ensure any subsequent recommendations made by the Panel are comprehensive.

7. After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:

   a) Dismiss the complaint(s) in whole or in part;
   b) Uphold the complaint(s) in whole or in part;
   c) Make recommendations.

8. The Panel will write to the parents informing them of its decision and the reasons for it **within 10 working days of the hearing,** although additional time may be required if it is necessary to carry out further investigations following the hearing. The timeframe of any further investigations will be agreed in consultation with the parents at the meeting, to a maximum of 10 working days in term time. The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Headmaster. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Headmaster.

Timeframe for dealing with complaints

All complaints will be handled seriously and sensitively and within clear and reasonable timeframes. They will be acknowledged within 2 working days if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 22 working days. Stage 3, the Appeal Panel Hearing, will take place within a target of 15 working days after the escalation to the Chair of Governors has been acknowledged to the parents, with the Panel's findings and decision notified to parents within a further 10 working days of the conclusion of the Appeals Panel Hearing (during term time).

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays. If the complaint is made during a School holiday period, or as the School enters a School holiday period, parents should note that the timescales set out above may be delayed if access to key staff (and/or pupils) is required.

Action taken by the School as a result of Complaints (regardless of whether they are upheld)

1. In the event that a formal complaint involves or relates to a member of staff, then the member of staff will be kept fully informed in writing of the procedures being adopted in relation to the management of the complaint and supplied with copies of all documentation.
2. In the event of a Complaints Panel hearing, the member of staff will have the right to make representation to the panel.

Updates to Governors

1. The outcome of level 3 complaints is shared with the Governors at the next occurring Council meeting to ensure that any learning points are addressed.
2. Complaints logged on CPOMS are reviewed at Council by the Governors with identifiable data withheld.
3. Further consultation with Governors would be made by the Headmaster and Bursar in respect of the appropriateness of a report to the Charity Commission following the conclusion of all Level 3 Complaints.

Record Keeping and Confidentiality

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Complaints Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice and Data Protection Policy. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following information:

- Date when the issue was raised;
- Name of parent;
- Name of pupil;
- 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).

This may include "special category personal data" where this is necessary owing to the nature of the complaint.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them, or where any other legal obligation prevails.

- This policy document is available on request (and via the School website) to parents of current and prospective pupils and on the school premises.

- Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Any written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days.

- Ditcham Park School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least 3 years.

- Parents may complain directly to Ofsted or to ISI if they believe the School is not meeting the EYFS requirements. The necessary contact details are:

  Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
  Telephone: (General Enquiries 0300 1231231)
  Email: enquiries@ofsted.gov.uk

  Independent Schools Inspectorate,
  CAP House, 9-12 Long Lane, London EC1A 9HA
  Telephone: (About Concerns 020 7600 0100) or
  Email: (About Concerns concerns@isi.net)

Ditcham Park School – Juniors: received 1 (one) Stage 2 formal complaints and no (zero) Stage 3 formal complaints during the academic year 2022/23

Ditcham Park School – Seniors: received (one) Stage 2 formal complaint and no (zero) Stage 3 formal complaints during the academic year 2022/23

Pupil Guidelines

1. Worries and Complaints

If pupils feel worried about something and wish to complain about their treatment, there are two things to remember: -

a. They can talk to someone about their problem;
b. They can make a formal complaint to someone.

Pupils will not get into trouble for making a complaint in good faith.

There are a number of people to whom a pupil can talk to or from whom they can ask advice: a close friend who may be able to help a fellow pupil, or an older student such as a Mentor or member of the Pupil Leadership Team, if a pupil does not wish to go straight to a member of the academic staff.

Problems with academic work, medical issues or pastoral issues are normally discussed with Class Teachers, Form Tutors or Subject Teachers.

Pupils who wish to record a concern or a complaint can also use the 'suggestion box' situated in the Library.

2. How to Make a Complaint

a. The first thing a pupil should do is to speak to any member of staff he/she trusts.
b. If a pupil has tried one of these approaches and is not satisfied that the problem has been dealt with satisfactorily, he/she may speak to either of the following adults who have agreed to act independently on behalf of pupils as 'student advisors':

Within the School:

Head of Seniors (Kate Senior)
Head of Juniors (Pippa Probert)

Independent (off School site):

Safeguarding Governor
Email:safeguardinggovernor@ditchampark.com

Pupils may contact either one of these advisors at any time and make an appointment to see them. Pupils may take a friend with them and arrange to meet in School.

3. Useful Website and Telephone Number

Child Line
www.childline.org.uk - 0800 1111 (CALL FREE)

APPENDIX

Complaints Procedure – Independent Member of the Panel

The Department for Education has given the following guidance on the identity of an independent panel member.

“Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving retired businesspeople, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”