



# **COMPLAINTS POLICY AND PROCEDURE (inc. EYFS)**

Owner	Head
Authorised by	Governors
Dated	February 2019
Review	February 2020

## **Policy**

The school has long prided itself on the quality of the teaching and pastoral care provided to its pupils. Each member of the community is valued for his or her individual contributions and we aim to treat everyone fairly and equally. There will inevitably be times, however, when members of the community feel that they have not been dealt with fairly or that the school has failed to reach the high standards which it sets for itself. Our policy is to resolve disputes informally and with a minimum of disruption wherever possible. The procedure for coming to an informal resolution of a complaint is set out below. If a complaint cannot be resolved informally then a more formal complaints procedure exists which is also set out below.

The complaints procedure is for parents of current registered pupils. It may also apply to past pupils but only in cases where the complaint was raised when the pupil was still registered.

Early Years Foundation Stage (EYFS):

- For the EYFS, parents may make a complaint about the provision direct to Ofsted and/or ISI. There is an information sheet displayed in the EYFS area. The details for contacting Ofsted and ISI are as follow:

### **Ofsted**

Enquiries Ofsted  
National Business Unit  
Royal Exchange Buildings  
St. Ann's Square  
Manchester M2 7LA  
Or online at: <http://live.ofsted.gov.uk/onlinecomplaints>  
Telephone: 08456 404040

### **ISI**

First Floor  
Cap House  
9-12 Long Lane  
London, EC1A 9HA  
Or email [info@isi.net](mailto:info@isi.net)  
Telephone: 020 7600 0100

- Complaints to school about the EYFS must be investigated and a response given within 28 days and must be made available to Ofsted and ISI on request.
- The record of EYFS complaints is kept for at least three years.

## **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Derby High School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## **The difference between a concern and a complaint**

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Derby High School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

## **Procedure**

### **Stage 1 – Informal Resolution**

It is hoped that most complaints and concerns will be resolved quickly and informally.

- If parents have a concern/complaint they should normally contact their son/daughter's Form Tutor verbally or in writing. The Form Tutor will aim to resolve any problems to parents' satisfaction as swiftly as possible and usually within 2 school working days. **School working days are defined as those falling in term-time only.** In the Senior School, if the Form Tutor alone cannot resolve the matter within this time frame, it may be necessary for him/her to consult the Head of Key Stage. The Head of Key Stage will usually contact parents about the complaint within 2 school working days of it being referred by the Form Tutor. If the problem remains unresolved it will usually then be referred to the Deputy Head, who will contact parents within 24 hours, as long as this period falls within the school working week, with the aim of finding a resolution. In the Primary Department matters which cannot be resolved by the Form Tutor will be referred to Head of Primary, who will contact parents within the same time-frame in order to resolve the concern/complaint.
- In the Senior School, complaints made directly to the Deputy Head or the Head will usually be referred to the relevant Form Tutor or Head of Key Stage in the first instance, unless the Deputy Head or the Head deems it appropriate to deal with the matter personally. NB: Even if the complaint is made in writing to the Head, it will initially be dealt with at Stage 1 (informal resolution) of this process and will only escalate to Stage 2 if it cannot be resolved satisfactorily.
- A written record of all concerns and complaints and the date on which they were received will be kept and will include a note as to how the matter was resolved. Records of all complaints are kept for at least three years. Should the matter not be resolved within the above time frame or in the event that parents feel that an informal resolution is not possible, they 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 must restate their complaint in writing to the Head within 10 days of receiving the outcome of Stage 1. The Head will decide, after considering the complaint, the appropriate course of action to take.

- In most cases, the Head will speak to the parents concerned, normally within 7 school working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- If it is necessary for the Head to carry out further investigations, parents will be informed that time will be required to investigate further and that the Head will report back to parents as soon as possible but within 20 school working days as stated below.

- The Head will keep written records of all meetings and interviews held in relation to the formal resolution process surrounding the complaint.
- Once the Head is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing as soon as possible and in any case within 20 school working days of having received the complaint. The Head will also give reasons for his/her decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure within 10 days of receiving the Head's feedback and decision.

### **Stage 3 – Panel Hearing**

The purpose of Stage 3 is to review the handling of the complaint at previous stages to ascertain whether it has been handled appropriately and fairly.

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be asked to put their case in writing to the Vice-Chair of the Governing Body, who has been appointed by the Governors to call hearings of the Complaints Panel, for a review of the handling of the complaint as described above. In this letter, the parent should set out clearly the grounds for requesting a Stage 3 hearing. No additional evidence can be brought in at this stage.
- The Vice-Chair will acknowledge receipt of the request for a panel hearing and convene a panel. The panel will consist of at least two Governors, not directly involved in the matters detailed in the complaint, and a person who is independent of the management and running of the school.
- The matter will then be referred to the Complaints Panel for consideration, including an agreed pack of evidence to aid appropriate transparency and decision-making. All information in this pack, which is not constrained by the need for confidentiality or by the sensitivity of the information, will be circulated to all parties involved. Copies of such particulars will be circulated not later than 5 working days prior to the hearing. 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.
- A draft agenda will also be circulated to all parties so that they know what to expect and can prepare accordingly.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. The person accompanying cannot participate in the hearing but can be there by way of support for the parent bringing the complaint. Legal representation is not appropriate.
- 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.
- After due consideration of all the relevant facts, the Panel will reach a decision, and may make recommendations, within 5 working days of the Hearing. The Panel will write to the parents and the Head separately, informing them of its decision and the reasons for it. **The decision of the Panel will be final.**
- The Panel's findings and recommendations, if any, will be sent in writing to the parents, the Head, the Governors and, where relevant, the person complained about. The panel findings will be kept in school and made available for inspection.

### **Written records**

The Head will keep a written record of all complaints made, including those investigated under the formal parts of the procedure (Stage 2 and 3). The record will show whether they were resolved at Stage 2 (Formal

Resolution) or whether they proceeded to Stage 3 (Panel Hearing). The record will also detail any action taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

The number of complaints registered under the formal procedure during the previous academic year may be obtained on request. Please contact [headsecretary@derbyhigh.derby.sch.uk](mailto:headsecretary@derbyhigh.derby.sch.uk)

### **Complaint against Staff**

If a parent has a complaint against a member of staff they should in the first instance contact the Head who will fully investigate the matter and respond accordingly.

In the event of a complaint being made against the Head, the complaint should be made to the Chair of Governors who will be responsible for investigating and responding to the parent concerned.

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Data protection**

Complaints relating to data handling will be dealt with according to this policy and in conjunction with the Data Protection policy.

### **Confidentiality**

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 the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requires access to them. As detailed in Part 7 paragraph 25(k) of the DfE Education Regulations 2010 (Independent Schools Standards).

**There have been 0 complaints at stage 3 or beyond in the last academic year.**