



## Complaints Policy & Procedure

### Introduction

South Lee School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this procedure. South Lee School makes its complaints procedure available to all parents of current and prospective pupils on the school's website. A paper copy can be obtained from the School office.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. The only exception to this is if the complaint is a review of a decision taken by the Headmistress to exclude or require the removal of a pupil, in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil.

In accordance with Independent School Standards, South Lee School will make available to parents of current and prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding academic year.

"Parent(s)" means the holder(s) of parental responsibility for a current or prospective 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. A complaint is likely to arise if a parent believes that the School has done something wrong or failed to do something that it should have done or acted unfairly.

**All complaints will be treated seriously and confidentially. No pupil will be penalised because of a complaint raised by a parent in good faith.**

### Making a Complaint

There are three stages in the Complaints Procedure.

## **Stage 1 - Informal Complaints**

Informal complaints refer to minor issues which are likely to be resolved quickly and satisfactorily without the need to involve the Headmistress. A parent will receive a response to a complaint within 5 working days of receipt of the complaint by the School. Should the matter not be resolved within 5 working days or in the event that a satisfactory resolution has not been reached, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.

The following procedure should be followed:

- In the first instance, parents should contact their son/daughter's Form Tutor.
- If the Form Tutor cannot resolve the matter alone it may be necessary for him or her to pass the matter on to the member of staff best placed to deal with the complaint. For academic issues this will be the subject teacher or the Deputy Head Academic. For pastoral issues this will be the Deputy Head Pastoral.
- If at this point the matter is still unresolved it may be necessary to refer the issue to the Headmistress.
- If the complaint is against the Headmistress, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School Business Manager on request.

## **Stage 2 - Formal Complaints**

Formal complaints refer to complaints which could not be resolved at Stage 1 of the process.

The following procedure should be followed:

- If the complaint cannot be resolved on an informal basis parents should put their complaint in writing to the Headmistress. The Headmistress will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmistress will speak to the parents concerned, within 5 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headmistress to carry out further investigations.
- The Headmistress will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmistress 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. The Headmistress will also give reasons for the decision.
- Given that further investigation may be necessary, a parent will receive a response to a formal complaint from the Headmistress within 10 working days of receipt of the formal complaint. If possible, a resolution will be reached at this stage.
- If the complaint is against the Headmistress, parents should make the complaint in writing directly to the Chair of Governors. The Chair of Governors will call for a full report from the Headmistress and for all the relevant documents. The Chair of Governors 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 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. The Chair of Governors will give reasons for his/her decision.

- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3 - Panel Hearing**

A panel meeting will be arranged as the result of failure to find a satisfactory resolution in Stage 2 of the process.

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the Complaints Panel Convenor, who has been appointed by the Governors to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place within 20 working days.
- 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.
- 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. The manner in which the hearing is conducted shall be at the discretion of the Panel.
- 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 facts they consider relevant, the Panel will make findings and may make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 5 working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. 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 Headmistress.
- Any complaint of a decision taken by the Headmistress to exclude or require the removal of the pupil will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint if they consider, having regard to the process followed by the Head, that the Head's decision to exclude / require the removal of the pupil was not a reasonable decision for the Head to have taken.

### **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within 5 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 20 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays.

### **Recording Complaints and use of personal data**

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing 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. 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:

- 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) • Notes of the hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice but in most cases for a period of at least six years after the pupil leaves the School.

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.

For the academic year 2020-2021 the School received 0 formal complaints.

### **Written Complaints Relating to the Requirements Under the Statutory Framework for the EYFS**

South Lee School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action that was taken as a result of each complaint. Written complaints about the

fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. 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 provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

Ofsted may be contacted on 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)