

## Complaints Policy & Procedure

### Introduction

St John's College 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. St John's College 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 Head to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions (Parent Contract), 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 paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, St John's College School will make available to parents of current and prospective pupils and provide, on request, to Ofsted, the Department of 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 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 the provision of boarding, 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 as a result 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 Head. A parent will receive a response to a complaint within 5 working days of receipt of the complaint by the School during term time. 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 Teacher or Tutor.
- If the Form Teacher or 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 Head of Department. For pastoral issues this will be the Head of Year.

- If at this point the matter is still unresolved it may be necessary to refer the issue to a senior member of staff such as the Director of Studies, the Head of the Junior Department or the Deputy Head.
- If the complaint is against the Head, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School Reception 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<sup>1</sup> to the Head*. 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, 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 Head, or their nominee, to carry out further investigations.
- The Head will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Head 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. The Head 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 Head 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 Head, parents should make the complaint in writing directly to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head 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. The Chair of Governors or their nominee 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 should do so in writing 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 will appoint one Panel member to act as Chair of the Panel. The Convenor, on behalf of the Panel, will then acknowledge the complaint within 5 working days 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 Head shall also be entitled to be accompanied to the hearing by one other person if they wish. The Panel will decide whether it would be helpful for witnesses to attend.
- The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

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<sup>1</sup> Throughout the complaints procedure in writing means by letter or by email.

- 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 the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:
  - Dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - 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 Head.
- Any complaint of a decision taken by the Head to exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions (Parent Contract) 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 and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

#### **Persistent Correspondence**

Where repeated attempts are made by a complainant to raise the same complaint after it has been considered at all three stages, this may be regarded as vexatious and therefore outside the scope of the policy.

#### **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. This data will be processed in accordance with the School's Privacy Notice.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation and in accordance with its Privacy Policy. Complaints which do not have safeguarding implications will be retained for a minimum of 7 years. Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.

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 2020-21 the School received 0 formal complaints.

**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. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.**

St John's College 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. The record of any such complaints will be kept in accordance with its Privacy Notice and Data Retention Policy

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 can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

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

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA