



Complaints Policy

Date	Review Date	Headmistress	Proprietor
October 2017	2020-2021	Zoe Sylvester	Brian Berkery

The number of complaints registered under the formal procedure during the last two years was 0

This policy should be read alongside all the Broadhurst School's policies and procedures especially with regard to the overarching Safeguarding and Staff Behaviour Code of Conduct Policy and Procedures.

The policy applies to all staff employed in the school, volunteers, parents and the Advisory Board.

INTRODUCTION

At Broadhurst School, we aim to provide a high quality of education and care for all of the children, welcoming each individual child and their family. We believe that children and parents are entitled to courtesy and careful attention given to their needs and wishes. We welcome comments and suggestions from parents or carers and believe that by working in partnership with our families, most complaints can be resolved easily and informally at an early stage.

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to Designated Senior Lead (See Safeguarding and Staff Behaviour and Code of Conduct Policy and Procedures).

For the purpose of our Complaints Policy and procedures the term 'parents' includes guardians. The procedure does not apply to parents of prospective pupils and it does not cover exclusions. The complaints procedure does apply to past pupils if the complaint was initially raised when the pupil was still registered.

AIMS

- make it as easy as possible to raise a concern or to submit a complaint
- respond appropriately to concerns and complaints with an explanation and information about the action taken and with an apology if the school has made an error

- take all concerns and complaints seriously
- make every effort to deal with complaints informally and at an early stage, in the spirit of partnership
- make written complaints about the fulfilment of the EYFS requirements will be investigated and the parent/complainant notified of the outcome of the investigation within 28 days. The record of complaints must be made available to Ofsted and ISI on request.

Relevant contact details are set out below

ISI: CAP House, 9-12 Long Lane, London EC1A 9HA Phone: 020 77768849 or e-mail via the ISI website: info@isi.net.

OFSTED: Piccadilly Gate, Store Street, Manchester M21 2WD Phone: 0300 123 1231 or e-mail enquiries@ofsted.gov.uk.

- resolve all Stage 1 complaints within 28 working term-time days of the complaint being received and acknowledged
- ensure that complaints are dealt with in line with the procedures set out in this document
- ensure that complaints are resolved either to the complainant's satisfaction or with an otherwise appropriate outcome, which balances the rights and duties of pupils
- ensure that, where appropriate, a full and fair investigation of the issue is undertaken
- ensure that no one, including pupils, are penalised for making a complaint in good faith
- keep a written record, for a minimum of three years, of all formal stage or panel hearings, the action taken and at what stage they were resolved
- review regularly at senior leadership level the written record of serious concerns or complaints and their outcomes
- ensure correspondence, statements and records will be kept confidential except in as far as is required of the School by part 7, paragraph 25(k) of The Education (Independent School Standards, England) Regulations 2010; except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them
- informal complaints (stage 1) are kept by the Headmistress and reviewed termly for management purposes to enable patterns of low-level concern to be monitored

We recognise that, for whatever reason, occasionally there may be concerns about some aspect of school life. We aim to resolve any complaints in a timely manner. Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs. For the purposes of this policy, a 'working day' is defined as a weekday during term time, when the school is open. The definition of 'working day' excludes weekends and holidays. For the avoidance of doubt, term dates are published on the school's website.

In respect of complaints relating to the school, parents should use the formal complaints policy and refrain from airing any grievances or concerns on social media sites, as this could be potentially damaging to the school and our pupils.

Guidance for parents: The overarching principle is that if a parent has a concern or complaint, they should inform us about it **as soon as possible**. Most concerns can be sorted out quickly by speaking to the appropriate member of staff. If you are dissatisfied with the response you have received, you can write to the Headmistress, who will conduct

an investigation and you will receive a written response. If the complaint is still unresolved after writing to the Headmistress, you should write to the Proprietor.

We find two things tend to make parents and pupils reluctant to express concerns:

- a fear that the School will not see the issue to be important. Please be assured, if it is important to you, it is important to us.
- a fear that a complaint may lead to repercussions for the pupil. Under no circumstances will the School discriminate against a pupil because of expressions of concern or complaints. We are also very experienced in ensuring that, if other pupils are involved (e.g. in an allegation of bullying), there are no repercussions from other quarters.

For parents of current children wishing to make a concern or a complaint, the following procedures apply:

STAGE 1 – INFORMAL RESOLUTION

- 1) If parents have a concern or wish to make a complaint they may speak to their child's Class Teacher or Assistant Teacher - whichever is most appropriate. In many cases, the matter will then be resolved immediately. If the Class Teacher or Assistant Teacher cannot resolve the matter alone, it may be necessary for her to consult the Headmistress, Mrs Zoe Sylvester.
- 2) Staff members will make a written record of all concerns and complaints and the date on which they were received (appendix 1). This form, along with any written correspondence, will be filed in the concerns and complaints folder for management purposes to enable patterns of concern to be monitored.
- 3) If a concern or complaint is made to the Headmistress, she will usually deal with it personally.
- 4) The Headmistress will make a written record of all concerns and complaints and the date on which they were received.
- 5) Should the matter not be resolved or if the Class Teacher and the parent fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage 2 of the complaints procedure.
- 6) All complaints, at this initial stage, will be dealt with by telephone, email or letter within 5 working days.
- 7) Any complaints about the Headmistress must go to the Proprietor Mr Brian Berkery.

STAGE 2 – FORMAL RESOLUTION

- 1) If a complaint is made in writing, the formal stage will not automatically be triggered. Complaints will usually only progress to the formal stage after first being considered at the preliminary stage and only then if the complainant intends to escalate a matter to the formal stage.
- 2) If the complaint cannot be resolved on an informal basis, parents should put their complaint in writing to the Headmistress. This should contain full written details of the nature of the complaint, any relevant documents and full contact details. It would be very helpful if parents could also indicate what they envisage as the desired outcome.
- 3) The Headmistress will decide the appropriate course of action following receipt of the complaint.

- 4) The Headmistress will meet or speak to the parents' concerned following receipt of the complaint to discuss the matter. If possible, a resolution will be reached at this stage, normally within 10 term-time working days of receiving and acknowledging the complaint.
- 5) It may be necessary for the Headmistress to carry out further investigations. This may be decided at the first meeting or during communication with the parents. If, however the Headmistress decides to carry out investigations before meeting the parents, they will be informed of this following the receipt of the complaint. In this instance a meeting with parents will take place as soon as is convenient for all parties involved.
- 6) The Headmistress will keep written records of all meetings and interviews held in relation to the complaint. These will be filed in the concerns and complaints file.
- 7) 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, normally within 20 term-time working days of the start of the stage 2 process.
- 8) The Headmistress may also give reasons for her decision. If parents are not satisfied with the decision, they should then proceed to Stage 3 of this process.
- 9) Where the parent is not satisfied with the school's response to their complaint at stage two and indicates a wish to continue to stage three, for compliance purposes a panel hearing should take place unless the parent later indicates that they are now satisfied and do not wish to proceed further. The panel hearing should, therefore, proceed notwithstanding that the parent may subsequently decide not to attend. If necessary, the panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion. The requirement for the panel to proceed does not prevent the school from accommodating parental availability for dates or considering comments concerning panel composition.

STAGE 3 – PANEL HEARING

- 1) If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Proprietor, Mr Brian Berkery.
- 2) 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. The Proprietor shall appoint each of the panel members. They will then acknowledge the complaint and schedule a hearing to take place as soon as practicable. It will normally take ten working days to arrange the panel. The panel will carry out any investigation it deems appropriate and will aim to send findings to the complainant parent, normally within a further ten working term time days.
- 3) The independent panel member will be a person who has held a position of responsibility and is used to analysing evidence and putting forward balanced arguments. The DfE has given the following guidance on the identity of an independent panel member: ^[11]_[SEP] *Our general view is that people who have held a position of responsibility and are used to scrutinizing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable*

are serving or retired business people, 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.' ^[1]_{SEP}

- 4) If the panel deems it necessary, it may require that further details of the complaint or any related matter be supplied in advance of the hearing; copies of such details should be supplied to all parties prior to the hearing.
- 5) The parents may be accompanied at the panel hearing. This may be by a relative, teacher or friend. Legal representation will only be permitted if the Chair considers it appropriate. If it is considered appropriate the Chair will inform the complainant(s) to that effect so that they may choose to be legally represented at the Panel Hearing if they so wish. Should they decide to be so represented they shall inform the Chair at least seven days before the date set for the Panel Hearing that that is their intention. If the complainant(s) choose to be legally represented the Chair will notify the other parties of that decision to enable them to have legal representation at the Panel Hearing should they so wish.
- 6) If possible, the panel will resolve the parents' complaint immediately without the need for further investigation.
- 7) A copy of the findings and recommendations of the panel will be provided to the complainant and to the person complained about if relevant. This may be via email, post or direct hand over.
- 8) A copy of the findings and the recommendations of the panel will be available for inspection on the school premises by the Proprietor and the Head Teacher.

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 reach a decision and may make recommendations. The panel will write to the parents informing them of its decision and the reasons for it. **The decision of the panel will be final.** The panel's findings and any recommendations will be sent by email, post or directly handed over to the parents, the Headmistress and the Proprietor. Where relevant, these findings will also be shared with the person the complaint is about.

Parents should also note the following:

The school is required following the introduction of the Early Years Foundation Stage Statutory Framework to inform parents that they may make a complaint to Ofsted and/or ISI - info@isi.net (please see <http://www.ofsted.gov.uk/schools/for-parents-and-carers/how-complain>) in respect of the schools EYFS provision, should they wish to do so and that a record of any such complaint would be kept for at least three years. Their contact details are listed at the end of this policy.

CONCERNS AND COMPLAINTS ABOUT THE HEADMISTRESS

If the complaint or concern is about the Headmistress, the matter should be referred to the Proprietor who will acknowledge and deal with it.

Appoint someone of suitable qualification to manage the complaint at stage 2. The Proprietor will become involved at stage 3.

CONFIDENTIALITY

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential. Records

will remain confidential except where the Secretary of State, the body conducting an inspection or where any other legal obligation prevails.

RECORD KEEPING

Records will be held in the Concerns and Complaints file. This will indicate the resolutions and whether the complaint has proceeded to the panel hearing. All records, statements and correspondence will be held confidentially for a period of at least three years.

Parents and guardians can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except if required by the Secretary of State for Education, where disclosure is required in the course of a school inspection, or where any other legal obligation prevails.

This policy is made available to parents on our website www.broadhurstschool.com and it is also available on request from the school office. Parents are informed about the number of complaints that there have been during the last 12 months on our website. They may also request this information from the school office.

INSPECTION

The school will notify parents about an inspection once it has been informed. When the final inspection report is completed, it will be supplied to parents of children who attend the school.

CONTACT DETAILS

Headmistress

Mrs Zoe Sylvester
Broadhurst School
19 Greencroft Gardens
London
NW63LP
Email: zsylvester@broadhurstschool.com
Tel: 020 7328 4280

Proprietor

Mr Brian Berkery
19 Greencroft Gardens
London
NW63LP
Email: bberkery@broadhurstschool.com
Tel: 020 7328 4280

Inspectorates

Independent Schools' Inspectorate (ISI)
CAP House, 9 - 12 Long Lane,
London EC1A 9HA
Telephone: 0207 600 0100

Ofsted

Piccadilly Gate
 Store Street
 Manchester
 M1 2WD
 Free Phone: 0300 123 1231
 email: enquiries@ofsted.gov.uk

DfE

The DfE have a Contact Us form on their website to use when communicating with them.
<https://www.education.gov.uk/help/contactus/dfe>
 03700002288

General Advice

If parents or students are unsure about a situation or events, several organisations will speak in confidence to advise what would be the best thing to do:
 NSPCC: 0808 800 5000
 ChildLine: 0800 1111
 Kidscape: 08451 295

Child Protection

If parents or students are concerned that a student may be at risk of harm, please see the Safeguarding Policy for details on how to contact the relevant person.

This policy will be reviewed:		
Reviewed: September 2010	By: D Berkery	NA
Reviewed: September 2011	By: D Berkery	NA
Reviewed; September 2012	By: A Fisher	NA
Reviewed: September 2013	By: A Fisher	Contact details updated Aims added Details about independent panel member added
Reviewed: September 2014	By: A Fisher	NA
Reviewed: September 2015	By: A Fisher	NA
Reviewed: October 2016	By: Z Sylvester	Added definition of a working day Added concerns and complaints form (appendix 1). Added a paragraph about concerns and complaints about the Head Teacher.
Next Review: September 2020 – July 2021	By: Z Sylvester	

Headmistress:		Date:	
Proprietor:		Date:	

APPENDIX 1 RECORD OF CONCERN/COMPLAINT

Date of Concern / Complaint	Time
Concern	
Complaint	
SOURCE	
Parent – In writing including email	
Parent – In person	
Parent – By telephone	
CONCERN / COMPLAINT	
Teaching and Learning	
Curricular and Extra-Curricular Provision	
Pastoral care	
Welfare, Health and Safety	
Premise, Environment and Equipment	
Suitability of Staff	
Documentation	
Other (Please specify):	
Details:	
ACTION –informal resolution/ formal resolution/ panel hearing.	
OUTCOME / RESULTS / CONCLUSION	
Date Resolved	
Name of Complainant	
Position	
Signature	