



## **Belmont School Complaints Policy and Procedure, including EYFS**

### **1. Introduction**

- 1.1. The 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 Policy and Procedure.
- 1.2. The School makes its complaints procedure available to all parents of current registered pupils, and of prospective pupils and past pupils (if the complaint was initially raised when the pupil was still registered) on the School's website, and for inspection in the School office during the school day. The School will take reasonable steps to ensure that parents of current registered pupils and of prospective pupils who request it are made aware of this.
- 1.3. In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent Schools Standards) Regulations 2014, the School will provide on request to the Chief Inspector, the Secretary of State or an Independent Inspectorate, details of this Complaints Policy and Procedure, and the number of complaints registered under the formal procedure during the preceding school year.

### **2 What Constitutes a Complaint?**

- 2.1 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, or failed to do something that it should have done or acted unfairly. This policy does not cover exclusions.
- 2.2 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 raise in good faith.

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

- 3.1 All complaints will be handled seriously, sensitively and within clear and reasonable timescales.
- 3.2 Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. During School holidays it may take longer to resolve a complaint, although the School will do what is reasonably practicable to avoid undue delay.
- 3.3 Complaints will be acknowledged within five working days if received during term time and as soon as is 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 28 days if the complaint is lodged during term time and as soon as practicable during holiday periods.
- 3.2 Stage 3, the Panel Hearing, will be completed within 28 days of that Stage being invoked if the appeal is lodged during term time and as soon as practicable during holiday periods.

#### **4 Recording Complaints, Confidentiality and use of Personal Data**

- 4.1 Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the Stage 1 (Informal resolution), Stage 2 (Formal Resolution) or proceed to Stage 3 (Panel Hearing) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).
- 4.2 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 may contain 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 and minutes of the hearing, and
  - The Panel's written decision.
- 4.3 This information may also include "special category personal data" (as further defined in the School's Privacy Notice, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data shall be processed in accordance with the School's Storage and Retention of Data Policy.
- 4.4 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.

#### **Complaints Procedure**

##### **5 Stage 1 - Informal Resolution**

- 5.1 It is hoped that most complaints will be resolved quickly and informally.
- 5.2 If parents have a complaint they should normally contact their son/daughter's Form Tutor. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the Form Tutor cannot resolve the matter alone, it may be necessary for him/her to consult either the Head of the relevant Department, the EYFS Co-ordinator, or one of the Deputy Heads (Pastoral or Academic).
- 5.3 Complaints made directly to a Head of Department, EYFS Co-ordinator, or a Deputy Head will usually be referred to the relevant Form Tutor or Subject Teacher unless the Head of Department, EYFS Co-ordinator or a Deputy Head deems it appropriate for him/her to deal with the matter personally.
- 5.4 The member of staff receiving the complaint will make a written record on the electronic Daybook of all concerns and complaints and the date on which they were received. Should the matter not be resolved within seven working days or in the event that the Form Tutor or Subject Teacher (or, if appropriate, the Head of Department, EYFS Co-ordinator or a Deputy Head) and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

- 5.5 If, however, the complaint is against the Head, parents should put their complaint in writing in hard copy addressed directly to the Chair of the Board of Governors, via the School Office, and also via email to [chair@belmont-school.org](mailto:chair@belmont-school.org).

## **6 Stage 2 - Formal Resolution**

- 6.1 If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing (in hard copy and not by e mail) to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- 6.2 In most cases, the Head will speak to the parents concerned, normally within seven working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- 6.3 It may be necessary for the Head to carry out further investigations. Such investigations will be carried out within seven working days of the complaint being received or as soon as practicable.
- 6.4 The Head will keep written records of all meetings and interviews held in relation to the complaint.
- 6.5 Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made within 14 working days and parents will be informed of this decision in writing. The Head will also give reasons for the decision.
- 6.6 If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.
- 6.7 If the complaint is against the Head, the Chair of the Board of Governors will call for a full report from the Head and for all relevant documents. The Chair 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 is satisfied that, so far as is practicable, all of the relevant facts have been established, then parents will be informed of the decision in writing. The Chair will also give reasons for the decision. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

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

- 7.1 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution and upon receipt of the written decision from the Head or, as the case may be, the Chair), they should write to the Clerk to the Board of Governors, 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.
- 7.2 The Clerk to the Board of Governors, who has responsibility for calling hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel. The Panel will consist of at least 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. Each of the Panel members shall be appointed by the Chair and one member shall be appointed to act as Chair of the Panel.
- 7.3 The Clerk to the Board of Governors will then acknowledge the complaint and schedule a hearing to take place as soon as is practicable and normally within fourteen working days. All reasonable steps will be taken to accommodate parental availability for dates.

- 7.4 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 five working days prior to the hearing.
- 7.5 The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head shall also be entitled to 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 and the Panel will decide whether it would be appropriate or helpful for witnesses to attend. This policy does not entitle parents to insist upon legal representation at a hearing and the manner in which the hearing is conducted shall be at the discretion of the Panel
- 7.6 If possible, the Panel will resolve the parents' complaint at the hearing without the need for further investigation. However, should the Panel decide at the hearing that further investigation is required, the Panel shall decide how such investigations should be carried out and by when they should be concluded.
- 7.7 After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was reasonable 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; and
  - c) may make recommendations.
- 7.8 The Panel will write to the parents informing them of its decision and the reasons for it within seven working days of the hearing (although additional time may be required if it is necessary for the Panel to carry out further investigations following the hearing). The decision of the Panel will be final.
- 7.8 The Panel's findings and recommendations, if any, will be sent by electronic mail or otherwise given to the parents and a copy sent or given in writing to the Head, the Chair of the Board of Governors, and, where the complaint relates to an individual, to that individual. In the EYFS, this must be done within 28 days of the original complaint. A hard copy of these findings will be kept confidentially on the school premises.

## **8 Footnotes to Complaints Procedure in respect of the Early Years Foundation Stage:**

- 8.1 Parents of EYFS children should follow the three stages of this Complaints Policy and Procedure. If parents remain dissatisfied and their complaint about the School's fulfilment of the EYFS requirements, then parents may take their complaint to ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 working days of the complaint being received.
- 8.2 The School will provide ISI or 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 in accordance with the School's Privacy Notice and Retention and Storage of Documents Policy.

8.3 Contact details for the organisations are:  
ISI 0207 600 0100 or by email [concerns@isi.net](mailto:concerns@isi.net)  
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Ofsted 0300 123 1231 or by email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

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Review due Trinity 2021

### **Appendix**

#### **School Year 2018-19**

Numbers of complaints registered in the School Year 2018-19:

Under Stage 1: 1

Under Stage 2: 0

Under Stage 3: 0