

Old Vicarage School

COMPLAINTS PROCEDURE

Legal Status:

- This policy incorporates the manner in which complaints are to be handled according to the Regulatory Requirements, Part 7, paragraph 33 (a) to (k) inclusive, The Education (Independent School Standards) (England) Regulations, as amended and the Early Years Foundation Stage (EYFS) regulations.

Applies to:

- the whole school including the Early Years Foundation Stage (EYFS), the out of school care and extra-curricular activities inclusive of those outside of the normal school hours;
- all staff (teaching and support staff), the proprietors and volunteers working in the school

The record of complaints is kept for a minimum of three years.

Timescale

- The process of dealing with a complaint in writing from the moment that it is received by the school to resolution will take no more than twenty eight (28) working days, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors.

Availability

- The Complaints Procedure is provided in the information for prospective pupils, parents and guardians, when a parent makes an enquiry for admission to the school.
- This procedure is also made available to parents, staff and pupils in the Parent Handbook, in the School Prospectus, and on the School website: www.oldvicarageschool.co.uk and It is also made available to parents or guardians of pupils on request to the school office, during the school day, or by e-mail: office@oldvicarageschool.co.uk

Other Relevant Document for Employees:

- Staff Grievance Procedure

Monitoring and Review:

- The Headmaster logs all complaints received by the school and records at which stage and how they were resolved. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint.
- The Proprietors monitor the complaints procedure, to ensure that all complaints are handled properly, taking into account any local or national decisions that affect the complaints process, and making any modifications necessary to this policy. They also retain details of the number of complaints, registered under the formal procedure during the preceding school year and carry out a formal annual review of the Complaints Procedure for the purposes of monitoring.
- This is reviewed regularly by the Headmaster, along with a formal annual review by the Proprietors for the purposes of monitoring.

Signed:

Date: August 2017

Next Review: August 2018

Matthew Adshead
Headmaster and Proprietor

Jenny Adshead
Proprietor

Old Vicarage School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.

Introduction

This policy is made available to parents, staff and pupils on the School website, in the Parent Handbook and in the School Prospectus. It is also made available to parents of pupils on request to the school office, during the school day, or by e-mail. The existence of the policy is clearly identified in the information provided for prospective pupils and parents. Old Vicarage School prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a concern or complaint, they can expect it to be treated by the School in accordance with this Procedure.

A complaint is likely to arise when there are issues of physical or emotional well-being and security at stake, or when the school's stated aims or values are being ignored. A breach of the law will always constitute a complaint. If parents of pupils at the school do have a complaint, they can expect it to be treated by the school in accordance with this procedure.

We use the term "complainant" to refer to the individual or individuals making the complaint. These may be one or a combination of any of the following: a parent or guardian of a pupil at the school, parents or guardians of a pupil at the school or several parents or guardians of pupils at the school. This procedure encompasses the Early Years Foundation Stage (EYFS). Complaints will be resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils. Parents have a right to make a complaint to the Office for Standards in Education (Ofsted). Details of how this may be done are given at the end of this procedure.

A complaint may be made by parents, pupils or staff. The School also has a 'whistle blowing policy' that is detailed in the staff handbook.

Old Vicarage School aims to be fair, open and honest by giving careful consideration to all complaints, dealing with them as swiftly as possible. Investigations will be thorough, fair and completed in a reasonable time-frame. The complainant may not be entitled to all information regarding the investigation, but will be kept informed of the process and of the decisions reached. We aim to resolve any complaints through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. Pupils will never be penalised for making a complaint in good faith. We actively encourage strong home-school links and ensure that all staff have opportunities to discuss and understand the school's response to concerns and complaints made by parents. We also ensure that any person complained against has equal rights with the person making the complaint.

Where the person being complained about is named as the person who would be handling the complaint in these procedures, their role will be passed upwards to their line manager. For example, teacher to Head of School or Head of School to Headmaster.

The Complaints Process

Stage 1 – Informal Resolution

(References to number of working days refer to term-time only)

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should contact the most appropriate member of staff, such as the child's teacher. If the member of staff contacted cannot resolve the matter alone it may be necessary for the member of staff to consult the Deputy Heads.
- The member of staff who is dealing with the matter will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within five (5) working days or in the event that the member of staff 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. A note should be kept of the date a resolution was reached and the agreed nature of this.

Stage 2 – Formal Resolution

(References to number of working days refer to term-time only)

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster, who will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will meet or speak to the parents concerned, normally within five 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 Headmaster to carry out further investigations.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster 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 Headmaster will also give reasons for his decision. A note will also be kept of when a final outcome was reached.
- Should a parent or guardian have a complaint about the Headmaster, an approach should first be made to the Chair of the Advisory Board whose contact details are: Mr Laurence McKell, 5 Fordgreen, Ripon, York HG4 1 AF; Tel 07578 424424; laurencemckell@gmail.com; which is all year round. This should include the nature of the complaint and how the school has handled it so far. The Proprietors, who are obliged to investigate the matter, will do everything possible to resolve the issue through a dialogue with the school.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

Stage 3 – Panel Hearing

(References to number of working days refer to term-time only)

- If the parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), or due to the nature of the complaint, that they do not wish to follow Stages 1 and 2 of this procedure, they will be referred to the Convenor, who will be appointed by the Proprietors 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, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by the Governing Body. The Panel Convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within ten (10) 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 five (5) working days prior to the hearing.
- The complainant, who could be parents or guardians, may be accompanied to the panel hearing.
- If possible, the Panel will resolve the complaint immediately without the need for further investigation.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within five (5) working days of the Hearing.
- A copy of the Panel's findings, and/or any recommendation and the reasons for them-will be:
 - sent by electronic mail or otherwise given to the complainant, the Headmaster, the Chair of Proprietors and, where relevant, the person complained about;
 - available for inspection on the school premises by the Proprietors and the Headmaster.
- The complainants will have the right of appeal to a higher authority, namely Ofsted or the Independent Schools Inspectorate (ISI), whose contact details are given at the end of this policy.
- The number of formal complaints, received in an academic year, is made available to parents.

Confidentiality

Parents and Guardians can be assured that all concerns and complaints will be treated seriously and confidentially. Such correspondence, statements and records relating to individual complaints, are to be kept confidential except;

- where the Secretary of State or a body conducting and inspection under section 162A of the 2002 Act requests access to them; or
- where any other legal obligation prevails.

Old Vicarage School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.

Record keeping for the Whole School, including Early Years Foundation Stage (EYFS)

A written record of all complaints and of whether they are resolved at the preliminary stage or proceed to a panel hearing is kept by the Headmaster, for a minimum of three years. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint. A written record will also be kept of when a final outcome was reached. The Proprietors examine this written record on an annual basis. The school will provide, on request to Ofsted, a written record of all complaints made during a specified period and the action, which was taken as a result of each complaint. Parents may contact the Headmaster to ask for the number of formal complaints made during the previous academic year.

Child Protection

For any complaint that involves a potential child protection issue, this must be reported immediately to the Headmaster (See our Child Protection Policy for details of the procedure).

Complaints from External Bodies

Complaints from the public about the behaviour of a group of pupils will be dealt with on a general basis, with reminders to all about the school's expectations.

Monitoring and Review

- The Head of School logs all complaints received by the school and records at which stage and how they were resolved.
- The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint.
- This is reviewed regularly by the Headmaster and Proprietors of the School for the purposes of monitoring.

Policy for Dealing with Complaints from Staff

- Old Vicarage School aims to be a listening and responsive school. We encourage staff to inform us of their concerns while they are still minor ones, which can more easily be resolved. It is hoped that most concerns and complaints, will be resolved quickly and informally.
- All staff who have any complaint or cause for concern should speak to their line manager in the first instance. If this is not appropriate they should bring the matter to the attention of one of the Senior Leadership Team.
- A written record will be kept of all significant concerns and major complaints, the date on which they were received and the details of the subsequent investigation.
- All complaints will be investigated within fourteen days and a formal letter will always be written as 'closure', indicating how the issue has been dealt with and what the outcome is.
- When a member of staff is dissatisfied with the outcome and has discussed this with the Headmaster, the matter should be referred to the other Proprietor. In the case of a contractual employment grievance, the procedures outline in staff contracts of employment should be followed.

In addition to the Complaints Procedure detailed above, parents may also make a complaint to Ofsted should they wish to, the relevant contact details are:

Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD. Helpline: 03001 123 123

Telephone: 03001 234 234

Web: www.ofsted.gov.uk

Email: enquiries@ofsted.gov.uk

Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London. EC1A 9HA

Telephone: 0207 600 0100

Web: www.isi.net

Email: info@isi.net