



Head Teacher: Ms K Barry

## **LALEHAM LEA SCHOOL & NURSERY**

### **COMPLAINTS POLICY**

*This is a whole school policy which applies to all sections of the school, including Early Years Foundation Stage, Out of School Care and Clubs.*

	Date	Signed
Date reviewed	November 2022	<i>K Barry</i> Head Teacher
Ratified by the Board of Governors	November 2022	<i>M Ryan</i> Chair of Governors
Date of next review	November 2023	

## **1. Introduction, guiding principles, and stages of complaint**

At Laleham Lea School we are committed to meeting the needs of our pupils. However, we recognise that not everything goes well for everybody all of the time. There are times when misunderstandings, confusion or genuine concerns give rise to complaints. The intention of this policy is to provide a clear and transparent process that will enable such complaints to be dealt with promptly, fairly and proportionately.

For the purposes of this policy, a 'parent' shall include a guardian, carer or any other person with parental responsibility for a child at the school. This policy applies to complaints from parents of current pupils and to parents of former pupils if the complaint was initially raised whilst the pupil was on the school roll.

This policy has been approved by the [Head and Governing Body] of the school and is available on the school's website or on request from the School Office. It can be made available in large print or another more accessible format, if required. If assistance is needed with making a complaint, for example because of a disability, a parent should contact The School Secretary who will be happy to make appropriate arrangements.

Separate procedures apply if the Head teacher expels or asks a pupil to leave and a parent seeks a Review by the Governors of that decision (a copy of these procedures is available on request).

All school staff are made aware of this policy and are expected to familiarise themselves with the procedures for dealing with complaints to ensure they can be of most assistance when an issue is brought to their attention.

The school's guiding principles in complaint resolution are:

- to give careful and prompt consideration to all complaints
- to seek to achieve a just and fair outcome, taking due account of all relevant evidence
- to attempt to resolve complaints through dialogue and mutual understanding, and at as early a stage as possible

This policy outlines three stages of complaint:

Stage 1: Informal Resolution

Stage 2: Formal Resolution

Stage 3: Panel Hearing

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Where timescales are given in 'working days', this is defined as Monday - Friday during term time (the dates of which are available on our website). Complaints received during holiday periods will be dealt with as soon as is practicable but are likely to take longer to resolve due to the unavailability of relevant staff. Under such circumstances the complainant will be notified of any extension to the time scales and the reason(s) why an extension is necessary when the complaint is acknowledged.

During 2021/2022 academic year, the school received two formal complaints, of which none progressed to a Panel Hearing.

## **2. Stage 1: Informal Resolution**

It is hoped that most complaints and concerns can be resolved quickly and informally. A parent with cause for concern or complaint should feel free to talk directly to a member of staff, to telephone, or write with the details of the issue that concerns them. In the first instance, it is usually best to address a concern to the class teacher or Form Tutor, as they are often best placed to resolve the matter quickly. The parent may also refer a matter to the Head teacher Ms Barry, to the Deputy Head Mrs Morbin or to the Pre-School manager Ms Ladio either directly or after an initial discussion with the class teacher or Form Tutor.

We will acknowledge a written notification of a concern by telephone, email or by letter within two working days of receipt. Depending on the nature of the complaint, the appropriate member of staff will arrange to speak with the complainant or invite them to a meeting within five working days of acknowledgement. This meeting may prompt further investigation or wider consultation but, in any event, this stage of the complaints process should be completed within 10 working days of the complaint being acknowledged.

A complaint which has not been resolved by informal means to the parent's satisfaction within 10 working days should be notified to the school in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

## **3. Stage 2: Formal Resolution**

If a complaint has not been resolved on an informal basis, then the parent should make a formal complaint to the Head teacher. This must be done in writing, stating explicitly that he/she wishes to invoke the formal complaints procedure.

Formal complaints will be acknowledged in writing by the Head teacher within two days of being received. In most cases, the [Head] will meet or speak to the parent concerned to discuss the matter. If

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possible, a resolution will be reached at this stage. It may be necessary, however, for the Head teacher to conduct an investigation. Once the Head teacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parent will be informed of this decision in writing, no later than 15 working days after the formal complaint was acknowledged. The Head teacher will give reasons for the decision reached.

Written records of all meetings and interviews held in relation to the complaint will be kept. The complainant will be informed if due to exceptional circumstances any additional time is necessary to complete the investigation.

If the parent is still not satisfied with the decision, he/she should proceed to Stage 3 of the complaints procedure.

#### **Alternative procedure for handling formal complaints about the Head teacher**

A parent wishing to make a complaint about the Head teacher may do so by writing to Ms Mary Ryan, Chair of the Board of Governors at the school address. Ms Ryan will acknowledge receipt of the complaint in writing within two working days, indicating what action is being taken and the likely time scale. The procedures and time scales that apply to any other formal complaint (see above) will be followed.

If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 of this procedure.

#### **4. Stage 3: Panel Hearing**

If the parent wishes to proceed to Stage 3 (following a failure to reach a resolution earlier in the complaints process) they should write to Ms Mary Ryan (the Convenor), who is responsible for making the arrangements for a Panel Hearing, at the school address. In the written request for a Panel Hearing, the parent should state the grounds of the complaint and the outcome desired. He/she should also send a list of all the documents that they believe to be in the school's possession that they consider relevant in the matter and that they wish the Panel to see. Copies of all such documents shall be supplied to all parties not later than five working days before the hearing.

The Convenor will acknowledge receipt of the complaint within five working days and will schedule a meeting of the Panel within 10 working days thereafter. The School will take all reasonable steps when making the arrangements for the hearing to facilitate the parent exercising their right to attend. If, having indicated they wish to proceed to Stage 3 of this complaints procedure, the parent decides not to attend the hearing, the hearing will take place in their absence. Under these circumstances, the panel will make findings on the substance of the complaint on the basis of the evidence available.

The Panel appointed by the Chair of Governors will consist of at least three people not directly involved in matters detailed in the complaint, one of whom shall be independent of the management and running of the school and not a member of the Governing Body. The role of the Panel is not only to establish that the correct process has been followed but also to establish the merits or otherwise of the complaint(s) by considering:

- the documents provided by both parties and
- any representations made by the parents and the Head Teacher

and to reach a decision on the balance of probabilities as to whether each complaint is upheld in whole or in part.

The complainant may be accompanied by a friend or relative, but legal representation is not usually appropriate. If the complainant wishes to be accompanied by a legally qualified person, acting in their professional capacity, the School must be notified at least seven working days before the hearing.

The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner. The Panel Chair will conduct the hearing in such a way as to ensure that the parties have the opportunity of asking questions and making comments in an appropriate manner. All present will be entitled, should they so wish, to write their own notes for reference purposes. The Panel Chair may direct that the hearing is recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain recordings thereafter. A handwritten minute of the hearing will be taken in any event.

If possible, the Panel will resolve the parent's complaint immediately 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 matters discussed at the hearing, the Panel will reach a decision. The Panel's decision, findings and any recommendations shall be confirmed in writing to the parent and, where relevant, to the person complained about within five working days of the hearing. The decision of the Panel will be final. The Panel's decision, findings and any recommendations will be available for inspection on the school premises by the Head teacher and the Chair of Governors.

## **5. Record keeping and confidentiality**

A written record will be kept by the Head teacher of all formal complaints, including any action(s) taken by the school as a result of the complaint (regardless of whether it is upheld), and of whether they are resolved at Stage 2 or progressed to a panel hearing.



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Parents can be assured that all concerns and complaints will be treated seriously. Correspondence, statements and records will be kept confidential except as required by the school by paragraph 33 (k) of Schedule 1 to the Education (Independent Schools Standards) Regulations 2014; namely, where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them, or where any other legal obligations prevail. Records of individual complaints will be retained for at least seven years thereafter (and for 10 years for those relating to the EYFS), in accordance with data protection principles, only for as long as is considered to be reasonably necessary in line with statutory guidance.

Senior leaders and governors will maintain oversight of these records in order to determine the appropriate implementation of this policy and to respond to any patterns of complaints which may be apparent.

## **6. Complaints about the fulfilment of EYFS requirements**

Additional regulatory requirements apply to written complaints regarding the fulfilment of EYFS requirements. Specifically, the complainant will be notified of the outcome of any investigation by the school into their complaint within 28 days. The school's record of complaints will be made available to Ofsted and ISI on request. In the event of dissatisfaction with the above actions, the complainant may refer the matter to the Office for Standards in Education (Ofsted) or to the Independent Schools Inspectorate (ISI). The contact details for these organisations are as follows:

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
[www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
0300 123 1231

Independent Schools Inspectorate  
CAP House  
9-12 Long Lane  
London  
EC1A 9HA  
[www.isi.net](http://www.isi.net)  
[concerns@isi.net](mailto:concerns@isi.net)  
0207 600 100

The School will notify parents about an inspection, and supply to parents a copy of the final inspection report.



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## **7. Managing serial and persistent complaints**

Laleham Lea School will do its utmost to be helpful to parents who make contact with a concern, complaint or request for information. However, there may be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant attempts to re-open the same issue, the School will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the School may choose not to respond. However, this will not occur until the complainant has completed the three stages of the complaints procedure. The application of a 'serial or persistent' designation for a complaint will be against the subject of the complaint rather than the complainant themselves.

## **8. Monitoring and review of complaints policy and procedures**

The Board of Governors will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.