

IH COMPLAINTS POLICY

For Parents of Students at The Sheiling Ringwood

Reviewed: Principal/SMT Sept-Nov 2018 (Every 2 years)

Ratified by Board: TBC – Dec 2018

Full Review date: Sept 2020

EDI Assessment: SSET does not currently identify any EDI impact of this policy; should new information come to light, this will be considered at the next review

Introduction

The Sheiling Ringwood (TSR) is committed to providing a high quality of education and pastoral care for its students. If parents (including those with parental responsibility or legal guardians) of students do have a complaint, they can expect it to be treated by TSR in accordance with this procedure.

TSR aims to:

- Deal with complaints promptly;
- Resolve a complaint by informal means if possible;
- Ensure that a thorough investigation is carried out; and
- Provide redress where appropriate.

TSR sets high standards and we want to know if we fall short of achieving them. Whilst we always strive to get things right first time, we recognise that complaints can be a valuable part of quality improvement. We will deal with complaints fairly and effectively.

This policy is consistent with the Education (Independent School Standards) Regulations 2014 as amended. TSR will make this complaints procedure available on its website. It will ensure that anyone who requests it is sent a copy of this document and the details of the number of complaints registered under the formal procedure during the preceding academic year will be published on their website also.

What is a Complaint?

A complaint is an expression of dissatisfaction by a parent of a student at TSR. It is likely to arise if a parent believes that TSR has done something wrong, or has failed to do something that it should have done or acted unfairly. A complaint may be made about an individual member of staff, a specific department or about TSR as a whole.

Parents can be assured that all complaints will be treated impartially and confidentially. Any individual involved in the complaint will not be responsible for investigating or responding to the complaint. No student/resident will be penalised for a complaint that parents raise in good faith.

Timeframes

TSR will not respond to complaints made later than 12 months after the incident complained of occurred unless we consider that there are exceptional circumstances. All complaints will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.

TSR's aim is to complete the first stage of the procedure within 15 working days of receipt of the complaint if the complaint is lodged during term time and as soon as practicable during holiday periods.

TSR aims to complete the second stage within a further 20 working days of receipt of the appeal if the appeal is lodged during term time and as soon as practicable during holiday periods.

TSR will endeavour to complete the third stage of the procedure within a further 30 working days of receipt of the appeal if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Recording Concerns & Complaints

TSR will keep a written record of all complaints and at what stage of the procedure they are resolved. TSR will keep records of the following information:

- Date when the concern/complaint was raised
- Names of parent/student/resident
- Description of the concern/complaint
- Records of all the investigations
- Witness statements
- Name of staff handling the issue at each stage
- Any action taken by TSR as a result of the concern/complaint
- Copies of all correspondence on the issue

Correspondence, statements and records relating to individual concerns/complaints will be kept confidential except where the Secretary of State for Education or a body conducting an inspection under s109 of the Education and Skills Act 2008 requests access.

Stage 1 – Informal Complaint

- 1.1 TSR will endeavour to resolve most informal complaints quickly and informally. All informal complaints raised are logged.
- 1.2 If parents have an informal complaint, they should normally contact their child's teacher, house manager or appropriate member of staff in the first instance. The informal complaint will be investigated and, in the majority of cases, we hope that the matter will be resolved straightaway to the parents' satisfaction. If the staff member cannot resolve the matter, it may be necessary for them to consult a relevant Head of Department.

Stage 2 – Formal Complaint

- 2.1 If an informal complaint cannot be resolved on an informal basis, then parents should appeal the decision in writing to the Principal within 5 working days of receiving the

outcome of their informal complaint. The Principal will decide, after considering the formal complaint, the appropriate course of action to take.

- 2.2 In most cases, the Principal (or delegated nominee) will meet or speak to the parents to discuss the matter. Every attempt will be made to reach a resolution at this stage.
- 2.3 It may be necessary for the Principal (or nominee) to carry out further investigations.
- 2.4 The Principal (or nominee) will keep written records of all meetings and interviews held in relation to the formal complaint.
- 2.5 Once the Principal (or nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing within 20 working days of the receipt of the appeal if the appeal is lodged during term time and as soon as practicable during holiday periods. The Principal (or nominee) will also give reasons for their decision.
- 2.6 If the formal complaint is raised against the Principal, the Chair of the Board of Trustees will call for a full report from the Principal and for all the relevant documents. The Chair of the Board of Trustees 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 the Board of Trustees 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 the Board of Trustees will give reasons for their decision.
- 2.7 If the parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing for Formal Complaint

- 3.1 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution of their formal complaint), they will be referred to the Clerk to the Board of Trustees. Parents must make a request in writing within 5 working days of receipt of the decision regarding their formal complaint, stating the desired outcome and the grounds of the complaint.
- 3.2 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 formal complaint and one of whom shall be independent of the management and running of TSR. The Clerk to the Panel, on behalf of the Panel, will then acknowledge the formal complaint and schedule a hearing to take place as soon as practicable.
- 3.3 If the Panel deems it necessary, it may require that further particulars of the formal complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties normally not later than 5 working days prior to the hearing.
- 3.4 The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, friend or advocate. TSR will inform you if

requested whether we are aware of any advocacy services but, if the parents seek to use them, it will not be at any cost to TSR. Legal representation will also not normally be appropriate.

- 3.5 If possible, the Panel will resolve the formal complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- 3.6 After due consideration of all the facts they consider relevant, the Panel will make findings and may make recommendations.
- 3.7 The Panel may either dismiss the formal complaint if the Panel considers the complaint is not made out; or uphold the formal complaint if the Panel considers the complaint is made out.
- 3.8 A written record will be kept of all formal complaints made, whether they are resolved following a formal procedure, or proceed to a Panel hearing; and of any action taken by the TSR as a result of these formal complaints (regardless of whether they are upheld).
- 3.9 The Panel will write to the parents informing them of its decision and the reasons for it, normally within 5 working days of the hearing. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents and, where relevant, the person complained about, and shall be available for inspection at TSR. This third stage will be concluded within 30 working days of receipt of the second stage appeal if the appeal is lodged during term-time and as soon as practicable during holiday periods
- 3.10 It is not within the powers of the Panel to make any financial reward, nor to impose sanctions on staff, students or parents. The Panel may make recommendations on these or other issues to the full Board of Trustees.

Unreasonable Complaints

A complaint may be regarded as unreasonable if the parent:

- Refuses to co-operate with the complaints investigation process;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information which the complainant expects to be taken into account, or raises large numbers of detailed but unimportant questions;
- Insists that questions are fully answered immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;

- Makes excessive demands on TSR time by either frequent, lengthy, complicated and/or stressful contact with staff regarding the complaint;
- Repeatedly makes the same complaint and refuses to accept previous findings (despite investigations or responses concluding that the complaint is groundless or has been addressed); or
- Seeks an unrealistic outcome.

A complaint may also be considered unreasonable if the parents act in the following manner:

- Maliciously;
- Aggressively, using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Making defamatory statements;
- Knowing the complaint to be false; or
- Publishing information such as on social media websites and in newspapers.

Where, at any stage, a complaint is deemed by the Principal (or Chair of the Board of Trustees if about the Principal), to be unreasonable, TSR may take any of the following actions:

- Implement a limited communications strategy;
- Advise that a third party act on the parents' behalf; and/or
- Notify the parents that the complaints procedure will not be implemented and that there will be no further response to their complaint.

Where aggression or abusive behaviour has been used, TSR may:

- Ask the parents to leave TSR's premises;
- Inform the police; and/or
- Bar them from being on TSR's premises.

Further Action

If, following appeal, the parents remains dissatisfied and attempt to reopen the same or similar issues, the complaint will be viewed as serial or persistent. The Chair of the Board of Trustees will inform parents in writing that all stages of the complaints procedure have been completed and that the matter is now closed. Any further contact from the parents regarding the complaint will be ignored by TSR.

If parents wish to take matters further, they may refer their concerns to their child's placing local authority. Parents may also direct a complaint in relation to TSR to the following government agencies:

- Care & Quality Commission (CQC), Citygate, Gallowgate, Newcastle-upon-Tyne, NE1 4PA
- Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

- Department for Education (the DfE), Piccadilly Gate, Store Street, Manchester, M1 2WD. The DfE will not investigate individual complaints but it has certain powers to intervene if it considers a school/college is not meeting standards in relation to education; student welfare and health and safety; and school premises amongst other matters.

Parents may, in relation to complaints concerning Sheiling College, refer the matter to:

- Education Skills and Funding Agency (the ESFA), Complaints Team, Cheylesmore House, Quinton Road, Coventry CV1 2WT to review whether the complaint has been properly investigated.

Review

The Principal will monitor the nature and frequency of formal complaints.

This policy will be evaluated by the Board of Trustees in the light of complaints made and their resolution in order to contribute to TSR improvement.