



TALBOT HEATH SCHOOL “Honour Before Honours”

COMPLAINTS POLICY AND PROCEDURES

Date adopted: 5th December 2023

Date for next adoption: Autumn Term 2024

Reviewed by: FGB Committee

Applies to parents of current and prospective pupils and all current pupils including those in the Boarding House and Early Years Foundation Stage.

POLICY FRAMEWORK

This policy is consistent with the Education (Independent School Standards) (England) Regulations 2014 as amended, The National Minimum Standards for Boarding Schools 2022, Standard 14 and the Early Years Foundation Stage Framework 2022.

INTRODUCTION

Talbot Heath School Trust Limited (the School) is committed to providing a high quality of teaching and pastoral care for its pupils. If parents do, however, have a complaint, they can expect it to be treated by the School with respect and in accordance with this procedure. The School aims to:

- Deal with complaints promptly;
- Resolve a complaint by informal means if at all possible;
- Deal with a complaint with sensitivity and maintain confidentiality;
- Be impartial at all times; and
- Ensure that a thorough investigation is carried out of all matters giving rise to the complaint and to provide appropriate redress, where necessary.

In accordance with paragraphs 32(1)(b) and 32(3)(f) of Part 6 and paragraph 33 of Part 7 of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2014, the School will make available to parents of pupils and of prospective pupils details of this complaints procedure and how to access information regarding the number of complaints registered under the formal procedure during the preceding academic year. The School will make its complaints procedure available on its website and will also ensure that any parents who request it are sent a copy of this document. This procedure is not normally available for use by parents of pupils that have left the School.

As well as complying with the Regulations (above), this policy has been formulated to comply with equality legislation (**see Equality Policy**) and the rules of natural justice (**see Appendix 1b**)

What Constitutes a Complaint?

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. 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 so something that it should have done or acted unfairly.

Problems are less likely to arise if parents and pupils feel that the staff and Head are open to their concerns and Talbot Heath School believes that constructive suggestions from parents and pupils can be used as the basis for positive dialogue which develops mutual understanding.

Parents and pupils can be assured that all concerns and complaints will be treated seriously, fairly and confidentially in accordance with the Data Protection Procedures of the school and the Education regulations.

No child will be penalised for a complaint that a parent [or their child] raises in good faith. Any action that needs to be taken under staff disciplinary procedures will be handled confidentially within the school.

Timeframe for Dealing with Complaints

All complaints will be acknowledged within five working days (i.e. Monday-Friday excluding Bank Holidays) if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible. The school's aim is to complete the first stage of the procedure within 7 working days of receipt of the complaint and the second stage within a further 21 working days if the complaint is lodged during term-time and as soon as practicable during holiday periods. The third stage of the procedure will be completed within a further 28 working days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Recording Complaints

The School will keep a written record of all complaints and whether they are resolved at the preliminary stages or proceed to a panel hearing. Such records will be kept for a minimum of 3 years and made available to the Independent Schools Inspectorate on request. The School will keep additional records of the following information:

- Date when the complaint was raised
- Name of parent
- Name of pupil
- Description of the complaint
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the complaint at each stage
- Any action taken by the School as a result of the complaint raised
- Copies of all correspondence on the complaint (including emails and records of phone conversations)
- Stage at which complaint was resolved and whether or not the complaint was upheld with details of any action taken or recommendations made

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State for Education, or a body conducting an inspection under section 109 of the Education and Skills Act 2008, requests access.

Reporting Complaints

The nature and frequency of all complaints (though not the names of complainants or any employees involved) are reported to the Governing Board on a termly basis so that any patterns can be identified. A summary of all complaints and the stage at which they were resolved, is presented to the Governing Board annually.

The number of formal complaints registered under the formal Complaints procedure during the preceding academic year (2022-23) was 4, all of which were resolved.

Anonymous Complaints

No anonymous complaints will be pursued (other than in issues of Child Protection) although they will be kept on file.

Late Complaints

Where a complaint is submitted more than 6 months after the incident or event (or where the complaint relates to a series of incidents or events, more than 6 months from the date of the latest incident or event) Talbot Heath School reserves the right to refuse to investigate the complaint under this Complaints Policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint. Where the decision is taken not to investigate the complaint, the school will write to the complainant notifying them of this decision within 5 working days of the complaint being received in term time and as soon as practicable in the holidays.

If the complainant is unhappy with the decision not to investigate the complaint which was submitted late, s/he may write to the Chair of Governors asking for the decision to be reviewed. All documentation relating to the complaint, together with the letter from the school to the complainant, will be provided to the Chair of Governors so that s/he may review the decision. The Chair of Governors will not investigate the complaint itself.

The Chair of Governors will write to the complainant with the outcome of the review within 10 working days of the date of receipt of the complainant's letter seeking the review in term time and as soon as is practicable in the holidays. The School will receive a copy of this letter. If the Chair of Governors decides that the complaint should have been investigated, it will be referred back to the school to be dealt with under the Complaints Policy in the usual way.

Resolution Principles

It is in everyone's best interest that concerns, difficulties and complaints are resolved at the earliest possible stage. At each stage of the complaints procedure the person dealing with the complaint will consider how it may be resolved, giving due regard to the level of seriousness of the complaint. In order to bring the complaint to a resolution it may be appropriate for the person dealing with the complaint to offer:

- an explanation;
- an apology;
- reassurance that steps have been taken to prevent a recurrence of the events that led to the complaint;
- reassurance that the school will undertake a review of its policies and procedures in light of the complaint.

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the school.

Outcome Principles

Examples of outcomes include:

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The investigation did not substantiate the matters raised, so the complaint cannot be upheld.
- The complaint was substantiated in part or full in which case a description should be given of the remedial action being taken by the school as a consequence of the complaint.

N.B. Details of any disciplinary action to be taken against a member of staff are strictly confidential and cannot be disclosed.

It is not within the powers of the Panel to make any financial reward, nor to impose sanctions on staff, pupils or parents. The Panel may make recommendations on these to the full Board of Governors.

External support

Parents may complain directly to the Independent Schools Inspectorate (ISI) should the situation not be resolved, or to Ofsted if they believe that the school is still not meeting the EYFS requirements.

ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net

Ofsted may be contacted on 0300 1234 234 or by email: enquiries@ofsted.gov.uk

THE COMPLAINTS PROCEDURE

Stage 1 – Informal Resolution

- 1.1 It is hoped that most complaints and concerns will be resolved quickly and informally.
- 1.2 If parents have a complaint they should normally contact their daughter's form/class teacher or an individual subject teacher in the first instance. The Head or Head of Junior School will be made aware that a complaint has been received. In the majority of cases, the matter will be resolved straightaway to the parents' satisfaction. If the form teacher or individual subject teacher cannot resolve the matter alone, it may be necessary for the teacher to consult the relevant Head of Faculty, Assistant Head or the Head/Head of Junior School.

- 1.3 Complaints made directly to a Head of Faculty, Assistant Head or the Head/Head of Junior School will usually be referred to the relevant form/class or subject teacher unless the recipient of the complaint deems it appropriate for him/her to deal with the matter personal. The Head or Head of Junior School may refer the complaint to a senior member of staff.
- 1.4 The member of staff receiving the complaint will make a written record of all concerns and complaints and the date on which they were received. If the matter could not be resolved within 7 working days in term times, or as soon as is practicable in the school holidays, or in the event that the member of staff dealing with the complaint 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.
- 1.5 If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors.
- 1.6 Parents can contact the regulatory authority i.e. DfE, Charity Commission, the Independent Schools Inspectorate Ofsted (for EYFS), or the Local Authority Designated Officer (regarding any complaint concerning the welfare of a child).

Stage 2 – Formal Resolution

- 2.1 If the complaint cannot be resolved informally, then parents should put their complaint in writing to the Head (or Head of Junior School), giving clear details of their concern and stating that they wish to make a formal complaint. The Head/Head of Junior School will decide, after considering the complaint, the appropriate course of action to take.
- 2.2 In most cases, the Head/Head of Junior School (or the Head's delegated nominee) will meet or speak with the parent(s) concerned, normally within 7 working days of receiving the complaint, to discuss the matter. Every attempt will be made to reach a resolution at this stage.
- 2.3 It may be necessary for the Head/Head of Junior School to carry out further impartial investigations.
- 2.4 The Head/Head of Junior School (or nominee) will keep written records of all meetings and interviews held in relation to the complaint and these will be placed on file at the conclusion of the procedure.
- 2.5 Once the Head/Head of Junior School (or nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents informed of the decision in writing. The Head/Head of Junior School (or nominee) will also give reasons for their decision together with any action taken or proposed.
- 2.6 If the complaint is against the Head, the Chair of Governors will call for a full report from the Head and for all the relevant documents. The Chair of Governors may also call for a briefing from members of staff and will in most cases, speak to or meet with the complainant(s) to discuss the matter further. Once the Chair of Governors is satisfied that, so far as is practicable, all of the relevant facts have been established, the complainant(s) will be informed of the decision in writing. The Chair of Governors will give reasons for his/her decision.
- 2.7 If parents are still not satisfied with the decision at Stage 2, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing

- 3.1 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should write to the Clerk to Governors, via the school office. The complainant(s) must make a request in writing within 5 working days of receipt of the decision complained of, stating the desired outcome and all 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 complaint; two will be governors and one will be a person of standing in the community who is independent of the management and running of the School (**see Appendix 1a**). The Clerk to the Panel, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 20 working days.

- 3.3 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 normally not later than 5 working days prior to the hearing.
- 3.4 The complainant(s) may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative or friend. Legal representation will not normally be appropriate. Where the Panel consider it to be necessary, the Head or investigator may be requested to attend at some point in the process.
- 3.5 If possible, the Panel will resolve the 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 facts they consider relevant, the Panel will make findings and may make recommendations.
- 3.7 The Clerk to the Panel will write to the complainant(s) on behalf of the Panel, informing them of the Panel's decision and the reasons for it, as soon as practicable and normally within 5 working days of the hearing. **The decision of the Panel will be final.** 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 on the school premises by the Proprietor and the Head.

Appendix 1a:**Independent Member of the Panel**

The DfE has supplied the following guidance in a letter to the ISC General Secretary:

“Whilst we do not intend to be prescriptive, our general view is that suitable people would be those who have held positions of responsibility and who are used to analysing evidence and putting forward balanced arguments/points. It would add credibility if independent panel members had some standing in the local community. In this connection serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background – perhaps retired members of the Police Force – might be considered suitable by schools. Schools will have their own views and may well have other suitable suggestions to make.

You asked if it would be acceptable to appoint former governors or staff of the school as the independent panel member. The regulations do not preclude this since the stipulation is that the person must be independent of the management and running of the school. Clearly former governors or staff would not have any such involvement. However, schools should bear in mind that they may be subject to criticism that such people would remain too close to the school and would not be truly independent.”

Appendix 2:

Whom to contact to complain

Education matters

If the complaint relates to the classroom, the curriculum or special educational needs, this should be discussed with the form teacher or individual subject teacher in the first instance. If necessary, they will help to put your concerns to the appropriate Head of Department or Head of Faculty. If the concern relates to the subject teacher, please contact the Assistant Head (Teaching & Learning) in the Senior School, or the Assistant Head (Academic) in the Junior School.

Pastoral care

If the concern relates to a matter outside the classroom, please contact the form/class teacher, in the first instance, who will refer you to the Assistant Head Pastoral in the Senior School or the Assistant Head Pastoral in the Junior School if necessary. If the complaint relates to the form teacher, please refer directly to the Assistant Head Pastoral in the Senior School or the Assistant Head Pastoral in the Junior School.

Disciplinary matters

A concern about disciplinary matters should be raised with the Assistant Head Pastoral for the Senior School, or the Assistant Head Pastoral for the Junior School.

Financial matters

A concern or complaint about matters relating to fees should be stated in writing to the Director of Finance.

Matters relating to the Senior Leadership Team

If your complaint relates directly to a member of the Senior Leadership Team, you should contact the Head.

If your complaint relates directly to the Head, you should write to the Chair of Governors, via the school office and mark it "Private and Confidential". This would constitute Stage 2 of the Complaints Procedure.

Matters relating to the Governing Body

If your complaint relates to the Chair of Governors, any individual governor or the whole governing body, it should be addressed to the Governance Professional via the school office.

Please mark them as Private and Confidential.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by a completely independent committee panel

Appendix 3:

Complaints Procedure for Boarders - National Minimum Standards for Boarding 14

“The school has, and follows, an appropriate policy on responding to complaints that is compliant with the regulatory standards.”

A list of named relevant people who can help boarders with any issue related to life in the Boarding House is on display in St Mary’s.

1. If Boarders have a complaint about life in the Boarding House they may raise this with the Heads of House and/or House staff.

If it cannot be resolved, girls should contact the Assistant Head Pastoral or they should make an appointment with the Head’s PA to see the Head.

2. If the complaint is about a member of the House staff, or if the boarder feels they want to talk to the Assistant Head Pastoral directly about a concern, they should contact her in school.

If the issue is not resolved, they may write a formal letter of complaint to the Head to which a reply must be made within three working days.

3. There are two link Governors with responsibility for Boarding. If a boarder has an issue with the handling of a complaint, they can be contacted via letter which should be handed in to the School Office in a sealed envelope and marked for their attention. The Chair of Governors, can also be contacted via the school office by letter in a sealed envelope marked Private and Confidential.

4. If the issue is still not resolved, the boarder could contact the Independent Schools Inspectorate. (Telephone 020 7600 0100)
It will then be up to the pupil to make a decision, acting upon the advice received at this final stage.

5. If all else fails, boarders are advised that they could contact Childline (0800 1111) or the Children’s Commissioner at:

Children’s Commissioner for England
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT

Tel: 020 7783 8330

Email: info.request@childrenscommissioner.gsi.gov.uk

During any conversation, a boarder may be accompanied by another member of the school community, a pupil or a member of staff.

At any stage, boarders can arrange to talk to the Independent Listener, Rev Sarah Yetman. She can be contacted by email on listeningear@talbotheath.org placing it in a sealed envelope and handing it in to the school office

Boarders will not be penalised for making a complaint in good faith.