

Complaints Procedure for Parents

Introduction

This Policy applies to the whole school, including the EYFS.

Davenies 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 in accordance with this Procedure.

The School has made this *Complaints Procedure* available to all parents of pupils and of prospective pupils on the School's website and in the School Office during the school day, and the School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and the form in which it is published or available.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2014, Davenies will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

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. 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.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for all pupils and parents can be assured that a pupil will not be penalised for a complaint that a parent raises in good faith.

Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term-time and as soon as practicable during holiday periods. It is within 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 (4 working weeks) if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the Appeal Panel Hearing, 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.

Stage 1 – Informal Resolution

Stage 1 allows for a complaint to be made and considered initially on an informal basis. The complaint will be acknowledged within 5 working days and it is hoped that most complaints and concerns will be resolved quickly and informally.

- If parents have a complaint, they should normally contact their son's Form Teacher. In many cases, the matter will be resolved straightaway by this means, to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for him/her to consult the relevant Pastoral Head or the Deputy Headmaster as appropriate.
- Complaints made directly to one of the Pastoral Heads or Deputy Headmaster will usually be referred to the relevant Form Teacher, unless it is deemed appropriate for him/her to deal with the matter personally.
- The Form Teacher 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 seven days (one working week) after it has been first acknowledged, or in the event that the Form Teacher and the parent(s) fail to reach a satisfactory resolution, parents are advised that they should proceed their complaint with the relevant Pastoral Head or the Deputy Headmaster, if one or the other is not already involved. If a resolution is still not forthcoming, parents should proceed with their complaint in accordance with **Stage 2** of this Procedure.

If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chairman of Governors.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster. Whilst all formal complaints should be made in writing, this does not mean that the formal stage is triggered whenever a concern is expressed in writing. Complaints will only progress to the formal stage after first being considered at the informal stage and then only when the complainant intends to escalate the matter to the formal stage.

The Headmaster will acknowledge receipt of the complaint within 5 working days during term time and as soon as practicable during holiday periods. He will then decide, after considering the complaint, on the appropriate course of action to take.

- In most cases, the Headmaster will speak to the parents concerned, normally within 14 days of acknowledging 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, as 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.

If the complaint is against the Headmaster, the Chairman of Governors will call for a full report from the Headmaster and for all the relevant documents. The Chairman 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 Chairman 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 Chairman will give reasons for his/her decision.

Where a parent is not satisfied with the School's response to their complaint at Stage 2 they should proceed to Stage 3 where a Panel Hearing will take place.

Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Clerk to the Board of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel. A Panel Hearing should always take place unless the parent later indicates that they are now satisfied and do not wish to proceed further.
- The matter will then be referred to the Complaints Panel for consideration. The Clerk to the Board of Governors, on behalf of the Panel, will then acknowledge the complaint within 5 working days during term time and as soon as practicable during holiday periods. She will aim to schedule a hearing to take place as soon as practicable, and normally within 14 days (2 working weeks) of the acknowledgement. The Panel will be appointed by the Board of Governors and will consist of at least three persons not directly involved in the matters detailed in the complaint. Members will be drawn from members of the Board but will also include one person who is independent of the management and running of the school ('Independent Panel Member'). The Independent Panel Member should be someone who has held a position of responsibility and is used to scrutinising evidence and putting forward balanced arguments, e.g. serving or retired business people, civil servants, heads or senior members of staff at other schools, retired member of the police force or an individual with a legal background.
- 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 seven working days prior to the hearing.
- The parents may attend the hearing and 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. The Panel Hearing should proceed notwithstanding that the parent may subsequently decide not to attend, but this requirement does not prevent the School from accommodating parental availability for dates or considering comments concerning panel composition. If necessary, the Panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.
- If possible, the Panel will resolve the parents' 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 all facts they consider relevant, the Panel will make findings and may make recommendations.

- The Panel will write to the parents, informing them of its decision and the reasons for it normally within seven days (one working week) 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, to the person complained about as well as the Chairman of Governors and the Headmaster. A copy of these findings and recommendations will also be made available for inspection on the school premises by the Chairman of Governors and the Headmaster.

Alternate Dispute Resolution

In the event that the School and parents are unable to resolve a contractual dispute via the Complaints Procedure, the School will identify a relevant **Alternate Dispute Resolution** (ADR) provider. The parents will be informed:

- That the School cannot settle the complaint with the parent;
- Of the name and website address of an ADR entity which would be competent to deal with the complaint, should the parent wish to use ADR; and
- Whether the School is prepared to submit to an alternative dispute resolution procedure operated by that ADR entity.

Record of Complaints

Following resolution of a complaint, the School will keep a written record of all complaints which will contain all relevant correspondence, statements, findings, recommendations, whether they are resolved at the preliminary step of Stage 2 or proceed to a panel hearing, and actions taken by the School as a result of these complaints. The School retains the full record of the complaint for three years after a pupil has left Davenies. For further information, please see the School's Data Protection Privacy Notices.

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.

A record of formal complaints raised under this procedure for the previous academic year can be found on the School's website.

EYFS (Reception) Parents Only

Written Complaints relating to the requirements under the statutory framework for the EYFS: Davenies will provide Ofsted and/or the ISI, 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. Parents will be notified of the outcome of an investigation of any written complaints regarding the fulfilment of the EYFS requirements within 28 days (4 working weeks). The record of any such complaints will be kept for at least three years after the pupil has left the school.

Complaints to DfE and/or the ISI regarding EYFS Service Providers: Parents may also complain directly to DfE and/or the ISI if they believe that as a provider the school is not meeting the EYFS requirements (*see below*).

Complaints must be made in writing to:

- **DfE** via [online form](#)
- **ISI:** concerns@isi.net, 020 7600 0100 or: Independent Schools Inspectorate, First Floor, CAP House, 9 – 12 Long Lane, London, EC1A 9HA (<https://www.isi.net/parents-and-pupils/concerns-about-a-school>)

During the academic year 2017-18 there was one formal complaint that reached Stage 2, which was addressed and resolved by the Headmaster.

Updated: September 2018, HM / CJP

Review: September 2019, HM