

Fairstead House

COMPLAINTS PROCEDURE incorporating the Early Years Foundation Stage

INTRODUCTION

Fairstead House School strives to provide the highest quality teaching and pastoral care 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.

This policy applies to complaints from parents of current pupils (including parents of pupils in the School's Early Years Foundation Stage) and to parents of former pupils if the complaint was raised when the pupil was registered at the School.

Fairstead House School makes its complaints procedure available to all parents of pupils and of prospective pupils in the school office during the school day, and we 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.*

This policy has been drafted in accordance with Part 7 of the Education (Independent School Standards) (England) Regulations 2014. Fairstead House School will make available to the Chief Inspector, the Secretary of State or the ISI details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

The School aims to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. Working days refers to Monday to Friday, when School is open during term time. The dates of terms are published on the School's website.

Please note that separate procedures apply in the event of a child protection issue, or if the Head expels or requires the removal of a pupil from the School and the parents seek a review of that decision.

Stage 1 – Informal Resolution

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/daughter's Form teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction.

- Complaints made directly to the Head will usually be referred back to the relevant Form teacher and dealt with informally.
- A complaint against the Head should be put in writing to the Chair of Governors who will follow the procedure set out in Stage 2.

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- An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable during the holidays.
- The Form teacher will make a written record of all concerns and complaints and the date on which they were received. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made. Should the matter not be resolved within 7 days or in the event that the Form teacher 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.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, then the parents should put their complaint in writing to the Head and specify that this is a Stage 2 complaint. The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details.
- In most cases, the Head will speak to the parents concerned. 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, indicating the action that is being taken and the likely timescale
- The Head will ask a senior member of staff to act as Investigator and may involve one or more Governors. The Investigator(s) may request additional information from you and may wish to speak to you personally and to others who have knowledge of the circumstances.
- Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation, which will be considered by the Head.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. The Head will notify parents of this Stage 2 decision in writing within 10 working days from receipt of the formal complaint. The Head will also give reasons for her decision. Where there are exceptional circumstances resulting in a delay the parents will be notified of this and be informed of the new timescales as soon as possible.
- Please note that any complaint received within one month of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

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- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.
- Early Years Foundation Stage (EYFS): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 28 days of the complaint being received.

Stage 3 – Complaints Panel Hearing

- A Complaints Panel Hearing (**Hearing**) is a review of the decisions taken by the Head or Chairman of Governors (in circumstances where the formal complaint concerns the Head) at Stage 2. The Panel will not consider any new areas of complaint that have not been previously raised and addressed under Stage 2 of the complaints procedure.
- The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering:
 - the documents provided by both parties; and
 - any representations made by the Parents and the Headand to reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part.
- It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.

How to Request a Hearing

- Requests for a Hearing must be made in writing to the Clerk to the Governors. It is expected that the complaints procedure will progress in a timely manner. The request will only be considered if the complainant has completed the procedures at Stages 1 and/or 2.
- The complainant must ensure that a copy of all relevant documents and their full contact details accompany the letter to the Clerk. The letter must state the outcome that the complainant desires and all the grounds of their complaint and must be accompanied by a list of the documents which the complainant believes to be in the School's possession and wishes the Panel to see. The request should include whether you propose to be accompanied to the Hearing by someone who is legally qualified.
- If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this who will be happy to make appropriate arrangements.
- The Clerk will acknowledge the request in writing within four working days during term time and as soon as practicable during the holidays.

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- Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half term or school holidays.

Planning the Hearing

- As soon as reasonably practicable and, in any event, at least ten working days before the Hearing the Clerk to the Governors will send written notification to each party of the date, time and place of the Hearing.
- Copies of any additional documents you wish the Complaints Panel to consider should be sent to the Clerk to the Governors to be received at least five working days prior to the Hearing.
- The complainant(s) will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend. The hearing is not a legal proceeding and so legal representation is not necessary. If you do wish to be accompanied by someone who is legally qualified, you should have notified the Clerk to the Governors of this in your initial request for a Hearing. If you did not do so and subsequently wish to be accompanied by a legally qualified you must inform the Clerk to the Governors of this at least five working days prior to the Hearing and the Parents should note that the Complaints Panel will wish to speak to the parents directly. This person will not be permitted to address the hearing unless invited to do so by the Chair of the Panel.
- 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 7 days prior to the hearing.
- The Clerk to the Governors will circulate a copy of all the documents to be considered by the Complaints Panel to all parties at least five working days prior to the hearing.

Composition of the Complaints Panel

- The Clerk to the Governors will convene the Complaints Panel as soon as reasonably practicable but the Panel will not normally sit during half term or school holidays. The Panel will consist normally of at least three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be independent of the management and running of the school. The complainant may ask the Clerk to be informed of the identities of the members of the Panel.
- The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

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The Hearing

- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- The Parties shall have the opportunity to ask questions and make comments in an appropriate matter. The Hearing is not a legal proceeding and the Complaints panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Complaints Panel will take a handwritten minute of the proceedings.
- All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.
- Where further investigation is required, the Chair may, at his/her discretion, decide how it should be carried out including an adjournment to take legal advice.
- A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statement about any matter discussed in or arising from the proceedings shall be made available directly or indirectly to the press or other media.

The Decision

- After due consideration of all facts they consider relevant, the Panel will reach a decision on the balance of probabilities (unless there is an agreed position) and may make recommendations, which it shall complete within 7 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The Panel's findings and, if any, recommendations will also be available for inspection on the School premises by the Governing Body and the Head.
- The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.
- The School provides for a written record to be kept of all complaints and of whether they are resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld).
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by the Education (Independent Schools Standards) Regulations 2014; where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

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- Should parents wish to know the number of formal complaints registered in the previous year, they should contact the school office.
- Correspondence, statement and records relating to individual complaints will be kept confidential except where access is required by the Secretary of State or where disclosures is required in the course of an inspection or under other legal authority.
- A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted and the Independent School's Inspectorate on request.

Complaints to Ofsted and the Independent Schools Inspectorate

- In the Early Years Foundation Stage parents can make a complaint to Ofsted and/or the Independent Schools Inspectorate should they wish. The contact details are below:

Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk

ISI can be contacted on 02076000100 or by email: concerns@isi.net

Independent Member of the Panel

Pastor Simon Bailey, National Chaplain to Horseracing, 01638-577923, 07877981498

<p>Responsible: LB Date approved: December 2016 Date to be reviewed: Summer 2018</p>
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