



Complaints Procedure

Lead Person: Deputy Headmaster

Governing Body Committee: Resources, Staff & Pay

Introduction

The Governing Body is required by the Education Act 2002 to have a procedure for dealing with parents' complaints. This Procedure was drawn up in accordance with the Education (Independent School Standards) (England) Regulations 2014 and the Education Funding Agency guidance, *Creating an Academy Complaints Procedure* (updated 27 January 2015).

The Crypt School prides itself on the quality of teaching and pastoral care provided to its pupils. However, if parents or guardians do have a complaint about school issues they can expect it to be treated by the School efficiently and sensitively in accordance with this procedure.

Aims of the Procedure

This procedure will be used for complaints from parents and also from people who are not parents of attending pupils.

Complaints can cover a wide variety of matters that concern parents. The school expects ALL parental complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence. It is important that all stakeholders feel valued and involved with the school and are able to voice their concerns. This is helped where the culture of the school is open and where all complaints are received in a positive manner. Parents or students with concerns should be encouraged to talk first to Head of Department, Form Tutor, School Pastoral Assistant Head or Director of Studies whoever is the most appropriate to your concerns.

As far as possible, all concerns should be dealt with as informally as possible. This procedure should be used if informal avenues have not dealt quickly and efficiently with the concern.

The procedure aims to ensure that all complaints from parents, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so. A parent, pupil or other complainant should be able to expect to have a response, even if not the final response, to their complaint within 5 working days* of having made the complaint.

If parents, pupils or other complainants wish to register a formal complaint, they should put their complaint in writing and send it to the Headmaster at The Crypt School.

(* = term time only)

Procedure

Informal Resolution

It is hoped that most concerns will be resolved quickly and informally. It is normally appropriate to communicate directly with the member of staff concerned. If parents or guardians have a concern they should contact the pupil's form tutor, or teacher, or relevant Head of Year, or the Deputy Headmaster. This can be done by email, telephone, letter or in person by appointment. The complainant should expect a response within 5 working days. If the response does not satisfy the complainant, then they should submit their complaint formally in writing to Headmaster.

Formal Procedure

After considering the nature of the complaint, the Headmaster will determine whether it should be heard at stage 1 or 2 of the formal procedure. The Headmaster will also determine which member of staff should hear the complaint at stage 1.

- Stage 1: complaint heard by a senior member of staff. If a resolution cannot be found the member of staff should inform the complainant of their right of appeal to the Headmaster (Stage 2) and inform the Headmaster of the action taken.

- Stage 2: complaint heard by Headmaster.

If the complainant is not satisfied after stage 1 or 2, they can formally request a review by the Governing Body of their complaint within 10 working days following receipt of the written outcome of stage 1 or 2.

- Stage 3: complaint heard by Governing Body's Complaint Review Panel (see below).

Procedure for an appeal to the Governing Body's Complaints Review Panel

Complainants who are not satisfied by the Head's decision re the complaint can make representations to the Governing Body within 10 school working days. The complainant must write to the Chair of the Governing Body giving details of the complaint and why they are unhappy with the outcome of stage 1 and/or 2. Upon receipt of the letter, the Chair of Governors will send within 5 working days an acknowledgement and a commitment to review the complaint. The Chair will then convene a Complaints Review Panel (CRP) to hear the appeal.

- The CRP will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the School (i.e. not a Governor).
- The hearing should be within 10 working days of the Chair receiving notice of the complaint. The complainant must be given reasonable notice of the hearing date and told of their right to be accompanied by a friend.
- The Panel may choose its own chair, set out its terms of reference and make its own procedures, which will accommodate the nature of the complaint being reviewed. The CRP will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease. Careful consideration must be taken when the complainant is a pupil. It may in

this case be appropriate to offer the student an advocate in the form of a more senior student or member of staff of their choosing.

- The Panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The Panel can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint; or
- recommend changes to the school's systems or procedures.

The Panel's decision is binding. The decision at this stage must be communicated in writing to the complainant and, where relevant, the person complained about, within 5 working days of the Panel meeting. The letter will explain if there are any further possibilities to appeal, including referral to the Education and Skills Funding Agency. The letter will be made available for inspection on the school premises by the Governing Body and the Headmaster.

The role of the Education and Skills Funding Agency

Parents that are not satisfied with the handling of their complaint by the school can refer the matter to the Education and Skills Funding Agency (ESFA) via the schools complaints form. The ESFA cannot investigate a parental complaint until the parent has exhausted all internal methods and appeals. However, the ESFA has the discretion to waive this restriction. The ESFA will investigate complaints where there has been undue delay or non-compliance with the school's complaints procedure, or where the school has failed to comply with a legal or funding agreement obligation. They will not overturn the Governing Body's decision, but can recommend that the complaint is looked at again.

Vexatious Complaints

If the complainant remains dissatisfied after all stages have been properly followed, the Chair is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Investigating Complaints

The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning; and

- keep notes of the interview.

Resolving Complaints

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. The governors acknowledge that an admission that the school could have handled the situation better is not the same as an admission of negligence.

If a complaint reaches the formal stages of the procedure, the Headmaster or Chair of the Complaints Review Panel as appropriate will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Depending on the nature of the complaint, and the outcome of any findings, the school may deem it appropriate to follow and implement other school policies.

Responsibilities:

Governing Body: for approving the procedure and guidelines, hearing and deciding on appeals, receiving reports, and advising the Headmaster. The Governing Body will monitor the level and nature of complaints and review the outcomes annually (or earlier if so determined by the Chair).

Chair of the Governing Body: to receive complaints at Stage 3, to nominate a panel to hear the appeal, and to check that the correct procedure is followed.

Chair of the Panel at Stage 3: to ensure that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;

- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard; and
- any written material is seen by all parties.

Clerk to the Governing Body

The Clerk will act as the reference point for the complainant at Stage 3. The Clerk must:

- set convenient dates and times and venues for hearings;
- collate any written material and forward it to the parties;
- meet and welcome the parties;
- record the proceedings; and
- notify the parties of the decision.

Headmaster: for the overall internal management of the procedures, for hearing complaints at the second stage, ensuring that the procedures are monitored and reviewed and reports made to the Governing Body.

Bursar: for administrative, environmental and financial queries and complaints.

Heads of Department and other middle managers: for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at stage 1 of the formal procedure.

Heads of Year: for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care at stage 1 of the formal procedure.

Assistant Head for pupil welfare: If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff, the 'named person' responsible for child protection complaint should be informed by the member of staff / Headmaster.

All staff: for hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns; also for passing any complaints received from other people who are not parents or pupils to the Complaints Coordinator.

Complaints Coordinator: for referring complaints to the correct person, maintaining a written complaints log and preparing reports to the Governing Body.

Documentation

A written record will be kept of all formal complaints. This will record details of the stage at which complaints are resolved and the action taken by the school as a result of those complaints,

regardless of whether or not they are upheld. 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 s.109 of the Education and Skills Act 2008 requests access to them. The school will keep any personal information relating to a complaint in a secure manner for a period of 6 years.

Monitoring and Review

The Head will report to staff from time to time, and to the Governing Body annually or earlier if the Chair so determines, on the number and type of complaints received and their outcomes.

Reviewed : July 2018

Approved : July 2018

Next Review : July 2019