



COMPLAINTS PROCEDURE FOR PARENTS

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Linked External Documents	

Introduction

The School prides itself on the quality of the teaching and pastoral care it provides to its pupils. However, if parents do have a complaint or concern, they can expect it to be treated by the School promptly and carefully, and in accordance with this procedure.

In accordance with paragraphs 32 (1) (b) and (3) (f) of Education (Independent School Standards) Regulations 2014, the School will make this procedure available to parents and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or the Independent Schools Inspectorate (ISI). This procedure is published on the School website.

What constitutes a concern or complaint?

A concern or complaint is any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where a parent seeks action by the School. It may be made about the School as a whole, about a specific department or House or about an individual member of staff.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Parents should be confident that their son or daughter will not be penalised for a concern or complaint that they raise in good faith.

Scope and Application

This policy applies only to complaints by parents. The School has separate procedure to cover concerns or complaints that a boarder may have.

This policy applies to complaints from each of the following:

- a Parent or Parents of current pupils;
- a Parent or Parents of former pupils if the complaint was initially raised when the pupil was registered at the School;

References to a **Parent**, in relation to a child or young person, includes any person who is not a parent but who has parental responsibility, or who has care of a pupil.

The School will not normally investigate anonymous complaints.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's complaints procedures.

All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

All concerns relating to child protection or child welfare will be referred by the recipient to the School's Designated Safeguarding Lead.

This policy does not apply to exclusions, to which the School's Exclusion Policy applies.

Appendix 4 provides detail of the school's position in relation to unreasonable complaints.

Time scales

The School aims to resolve all complaints efficiently and promptly and Parents are encouraged to bring any matter causing concern to the School's attention as soon as possible. Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. The School will however consider complaints made within up to 12 months if exceptional circumstances apply. A complaint raised after three months should therefore include details of the issues which led to the delay.

Timescales for each stage of the School's complaints procedure are set out below. It is expected that the management of every complaint will progress in a timely manner. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure (such as other bodies investigating aspects of the complaint), the School will notify the parent and inform them of the new timescales as soon as possible.

Complaints which are raised in the School holidays will usually be deemed to have been received on the first working day after receipt.

References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

If a Parent commences legal action against the School in relation to their complaint, the Head or Chair of Governors will consider whether or not to suspend the complaints procedure until those proceedings have been concluded.

There are three stages to the School's complaints procedure:

Stage 1 – Informal Resolution

It is hoped that nearly all complaints and concerns will be resolved quickly and informally.

If parents have a complaint or a concern, they should normally contact their child's Housemaster (HM) or Housemistress (HM). In most cases, the matter will be resolved straightaway to parents' satisfaction. If the HM cannot resolve the matter alone, it may be necessary for the HM to consult a relevant Head of Department (HoD) and/or Sub-Warden, Deputy Head (Academic) or Deputy Head (Pastoral).

Complaints made directly to the HoD, the Deputy Heads, Sub-Warden or Warden will usually be referred to the HM unless the HoD, Deputy Head, Sub-Warden or Warden deems it appropriate to deal with the matter personally. If a complaint is made directly to the Warden, he/she may decide to deal with it formally at Stage 2 of this procedure, in such cases asking the parents to complete the Formal Complaint form. The Warden may instruct such an approach to complaints made to other members of staff.

If they are not received in writing, the HM (or another member of staff) 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 7 working days or in the event that the HM and parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint to the next stage of this procedure. At this stage, parents will be given a copy of this Complaints Procedure and asked to write to the Warden, detailing their complaint and completing the Formal Complaint form. The form is an

important record of the complaint. If the issue has been framed in the context of a concern, it becomes at this point in the process a formal complaint.

If the complaint is against the Warden, parents should make their complaint to the Chair of Governors.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governors via the School office. Please mark them as Private and Confidential.

Complaints Policy regarding the IB

For complaints or concerns about IB matters, such as allocating predicted grades to pupils, marking of Internal Assessments (which are then externally moderated), availability of subjects and the structure of courses, any parent or pupil should contact the Director of IB.

An appeal can be made to the IB against matters such as results, academic misconduct, special consideration, or inclusive assessment arrangements. This must be made in accordance with the Diploma Programme Assessment Appeals Procedure. Such request for an appeal must be made to the Warden or the Director of IB who will then, if appropriate, make an application to the IB. This application must be made within one month of the date of the original decision made by the IB.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis, then parents should put their complaint in writing via the Formal Complaint form (At Appendix 1 below) to the Warden who will then decide, after considering the complaint, the appropriate course of action to take; s/he may decide to delegate responsibility to another senior member of staff such as the Sub-Warden or Deputy Heads.

In most cases, the Warden will meet with or speak to the parents concerned, within 7 working days of receiving the complaint, to discuss the matter. If possible, an agreement will be reached at this stage.

It may be necessary for the Warden (or his/her nominee) to carry out further investigation and to compile an Investigation Report.

The Warden will keep written records of all meetings and interviews held in relation to the complaint.

Once the Warden is satisfied that, so far as is practicable, all of the relevant facts have been established and documented in the Investigation Report, a decision will be made, and parents will be informed of this decision in writing. The Warden will also give reasons for the decision. The Warden will normally seek to reach a decision within 14 working days. The Warden will ordinarily provide any Investigation Report with the decision and other relevant documents. It should be noted that redactions may be necessary for reasons of data protection.

If the complaint is against the Warden, the Chair of the Governors will call for a full report from the Warden 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 parents 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 parents will be informed of the decision in writing. The Chair of Governors will give reasons for his/her decision.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure. The Warden will in such circumstances provide to the Bursar a copy of the Complaint Form and any accompanying letter from the parents, a copy of the Investigation Report (if compiled), and a copy of his/her letter to the parents at the end of Stage 2. The same provision will be made by the Chair of Governors, if the complaint was made initially about the Warden.

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 Bursar, who has been appointed by the Governors to call hearings of the Complaints

Panel. The parents' request for a Panel Hearing should be made within 10 working days from receipt of the Stage 2 decision and should include:

- the complainant's name and full contact details;
- details of those aspects of the complaint about which the parent remains dissatisfied;
- copies of any relevant documents which the parent would like the panel to consider;
- the outcome desired; and
- whether the parent wishes to attend the hearing and if so, whether they propose to be accompanied.

The matter will then be referred to the Complaints Panel for consideration. The panel is not obliged to consider any new complaints at this stage. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school (see further Appendix 2 below). The Panel members will be appointed by Governors and the Panel will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days.

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 3 days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate, and it is possible only with the expressed permission of the Panel.

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 reach a decision and may make recommendations, a process which it shall complete within 7 working 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 be sent in writing to:

- the parents;
- the Warden and the Governors;
- the person complained about.

The Panel's findings will also be available for inspection on the school premises by the Chair of the Governors and the Warden.

It is expected that, rather than merely send a copy to the person about whom the complaint was initially made, the Warden will take them through the Panel's findings. The decision of the Panel will be final.

Record Keeping

In accordance with the Education (Independent School Standards) Regulations 2014, a written record will be kept of all complaints that are dealt with at either Stage 2 or 3. The School will keep a written record of all action taken as a result of any complaints regardless of whether they are upheld.

The number of complaints dealt with at Stage 2 or 3 will also be available to all current or prospective parents. The School will also keep records of informal complaints or concerns for management purposes to enable patterns of concern to be monitored.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Education Act requests access to them.

Number of complaints registered under the formal procedure, in the past year	2
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Appendix 1. Formal Complaint form

St Edward's, Oxford

Formal complaint form

1.	Name of complainant	
2.	Date of complaint	
3.	Nature of complaint	
4.	Name of other person(s) involved	
5.	Actions taken so far to resolve the complaint (if any)	
6.	Desired outcome from the complaint, and related actions requested by the parents	
7.	Person to whom the initial complaint was made	
8.	Signature of complainant	

This form will be retained in the 'Complaints folder' and available for inspection by Governors and the Independent Schools Inspectorate

Appendix 2. Independent Panel member

The Department of Education has given the following guidance on the identity of an independent panel member.

“Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired businesspeople, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”

Appendix 3. Contact details

The Warden	Mr Alastair Chirnside	St Edward's School Woodstock Road Oxford OX2 7NN	Email: warden@stedwardsoxford.org	Phone: +44(0)1865 319323
The Bursar	Mr Edward Hayter	St Edward's School Woodstock Road Oxford OX2 7NN	Email: bursar@stedwardsoxford.org	Phone: +44(0)1865 319321
Clerk to the Governors	Mrs Sue Turnbull	St Edward's School Woodstock Road Oxford OX2 7NN	Email: turnbulls@stedwardsoxford.org	Phone: +44(0) 7921 816821
The Chair of Governors	Mr Chris Jones	c/o St Edward's School Woodstock Road Oxford OX2 7NN	Email: jonesc@stedwardsoxford.org	Phone: +44(0) 7921 816821

Appendix 4. Unreasonable complaints

- the School will not dismiss a complaint purely on the basis that the **complainant** is unreasonable. A consideration of the complaint itself will be made using the tests set out in this Appendix
 - a complaint may fall within one of the definitions outlined in **Error! Reference source not found.**. This does not automatically make it an unreasonable complaint and the School will reach a balanced conclusion in determining whether the complaint is unreasonable
 - the long term costs of dismissing a complaint may outweigh the short term benefits, especially if it likely to inflame the complainant
 - the bar for dismissing complaints will be set high, and the decision to reject the complaint will itself be open to review
 - if the School dismisses a complaint, it will be prepared to show the evidence it considered in reaching a conclusion to ISI or a similar inspection body.
1. We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with us. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

2. Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.
3. Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations.
4. We adopt the Department for Education's definition of unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as if the complainant:
 - refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 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 and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often 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;
 - repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
 - refuses to accept the findings of the investigation into that complaint where the School's complaints procedure has been fully and properly implemented and completed;
 - seeks an unrealistic outcome;
 - makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
 - uses threats to intimidate;
 - uses abusive, offensive or discriminatory language or violence;
 - knowingly provides falsified information;
 - publishes unacceptable information on social media or other public forums.
5. A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.
6. In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:
 - whether a complaint has reasonable foundation;

- the history and context of the complaint (and any evidence where relevant);
 - whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
 - whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
 - unexplained delay in raising a complaint or issue;
 - if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
 - any evidence of a complaint being brought for an improper purpose.
7. Whenever possible, the Head and / or Chair of Governors will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.
 8. If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.
 9. For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit number of contacts in a communication plan. This will be reviewed after six months.
 10. In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.